A

COMPENDIOUS ABRIDGEMENT OF All STATUTES (made in the 16 and 17th years of King CHARLES the first, and 12th of K. CHARLES the 2d.) now in Force and Use.

Beginning where Mr. *Pulton* ended, and continues to the Dissolution of the late Parliament.

Alphabetically digested under Titles for the ready finding of the matter.

By *M. D.* Barrester.

LONDON,
Printed for *Robert Pawley*, and are to be sold in *Fleet-street*. 1661.

Courteous Reader,

YOu are here presented with an Enchyridion, being the substance of all the Acts of Parliament made in the 16. and 17. years of Kings Charles the first, and the 12. year of King Charles the second, to the Dissolution of the last Parliament (many whereof are large in their Originals by reason of their Preambles and other occasional Consequences; and thereby both dear in price, and to most men tedious in the perusal, and very scarce to be had at any rate, all

which inconveniences this small Opuſculum *doth remedy; and it is hoped to your ſatisfaction: the matter being ſuccinctly gathered under* Titles, *which makes the bulke ſo little, but ſhews the Workmans Labour great; and affordeth the greater benefit to the Reader:* For brevity free from Obſcurity is to moſt men acceptable, becauſe a great help to memory. *How far that is performed herein is left to the Candid judgment of the knowing Reader, who is the ſole perſon qualified to give Sentence in this buſineſs.*

M. D.

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A

Compendious Abridgment of all Statutes (made in the 16. and 17th years of King Charles the First, and 12th of King Charles the Second) now in Force and Use.

Anniversary Thanksgiving.

1. STat. 12. *Car.* 2. *cap.* 12. Reciting divers great, and signal mercies in the happy Restauration of his Majesty, which was compleated the 29. of *May* 1660. (being his Birth day) by his Triumphal entrance into his Royal Cities of *London* and *Westminster*; Enacteth, that all Ministers in *England*, and the respective Dominions thereof, and their Successors shall in all succeeding ages Annually celebrate the Twenty Ninth of *May*, by rendring their hearty publick praises and thanksgivings unto almighty God for those extraordinary Blessings and Deliverances received, and mighty Acts done thereon, and declare the same to the people. And all persons whatsoever are to resort to some Church, *&c.* for that purpose.

2. Every Minister shall at morning Prayer, in the Lords day, next before every such 29. of *May* give notice hereof, and distinctly then read this Act.

Anniversary Fast, see Treason.
Attainder, see Treason.
Assessment, see Taxes.

Bay-making.

1. STat. 12. *Car.* 2. *c.*19. The Governours of the *Dutch-Bay-Hall* in *Colchester*, and *Dutch* people there, may uſe the trade of making Bayes, Sayes, and forain Draperies, and to enjoy all ſuch liberties as were granted unto them by Q. *Elizabeth*, King *James*, or the late King *Charles*.

2. All Weavers of any Bays called four and fifties, ſixties, ſixty eights, eighties, and hundred Bays, from and after the 20. of *September*, 1660. ſhall within two dayes after weaving, carry the ſame to the ſaid *Dutch Bay-hall*, called the *Raw-hall*, to be *ſearched* and *viewed*, that it may appear whether it be well wrought before it be ſcoured and thicked. And if any Fuller ſhall receive ſuch Bays before it hath been ſtamped in the ſaid Hall, and ſo viewed: the pain for the firſt offence is 40 *s.* and if by an *Engliſh* Maſter to be paid to the Mayor there for the poor: and if by a *Dutch* Maſter, to the *Dutch* Governours for their poor: the ſecond offence 5 *l.* and the third offence diſabled to work within the Town, or liberties thereof.

3. None ſhall buy any Bays, or carry the ſame out of *Colchester*, before it hath been viewed, ſearched, ſtamped, ſealed, and meaſured, as aforeſaid, by ſworn officers, upon pain of confiſcation, the one Moiety to the ſeiſor, the other Moity to the poor where ſeiſed.

4. If any after the ſaid 20. of *September* coun-

counterfeit any of the ſaid Seals, or not (being an appointed officer) affix them to any ſuch Bays, whether counterfeit or not, he ſhall for the firſt offence forfeit to the ſaid Governours 20 *l.* to be recovered in any Court of Record, or in the Court there: for the ſecond offence the Pillory for an hour; and for the third offence Felony: And if any Bays be taken carrying, or carried out of *Colcheſter* without the mark of the maker, the ſame ſhall be forfeit.

5. The ſaid Governours or their Officers may in the day time ſearch any Cart, Waggon, or Pack, wherein they ſuſpect any ſuch Bays to be: and may from time to time with a Conſtable ſearch any houſe, ſhop, or Warehouſe, for the diſcovery thereof, and ſecure the ſame in the ſaid Bay-hall, and the ſame to be forfeited and diſpoſed of, as before herein is limited for Weavers and Fullers.

6. The ſaid Governours impowered to make ſuch orders and By-laws as they ſhall ſee meet; No ſuch By-law, *&c.* made in diminution of the Kings Prerogative, or the Laws of this Kingdome, may be uſed, untill the ſame be approved by the Lord Chancellor, Treaſurer, Chief Juſtice of either Bench, or any three of them, or before the Juſtices of Aſſize in that Circuite, upon the Penalty of 20 *l.* for every time they ſhall ſo do.

7. This Act to commence from the 20. of *September*, 1660.

Continuance.

Stat. 17. *Car. prim. c.* 4. A Proviſo at the end of the ſaid Statute, Entituled, An Act for the further relief of his Majeſties Army, and the *Northern* parts, *&c.* That all Statutes and Acts of Parliament which have their Continuance or were (by an Act of Parliament made in the third year of the reign of his Majeſty, that now is; Entituled, An Act for the Continuance and Repeal of divers Statutes, continued until the end of the firſt Seſſion of the then next Parliament, ſhall by vertue of this Act be adjudged, ever ſince the Seſſion of Parliament in the ſaid third year, to have been of ſuch force and effect as the ſame were the laſt day of that Seſſion, and from henceforth, until ſome other Act of Parliament be made touching the continuance or diſcontinuance of the ſaid Statutes and Acts, continued as aforeſaid.

1. Stat. 12. *Car. ſecundi. c.* 2. Reciting, that the four firſt Returns of *Eaſter* term 1660, cannot be conveniently kept for avoiding of Diſcontinuances in that behalf in the Courts of *Weſtminſter*; Enacted, that no Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſſe, Precepts, or other thing or things whatſoever, pleaded, returned, or depending, or having day in any the ſaid Courts, at the ſeveral Returns, or other dayes certain after, ſhall be diſcontinued for the not keeping of ſuch Returns,

turns, or days; but shall be effectual in law to all intents & purposes: And that all such pleas, *&c.* are continued and adjourned, to *Crastino Ascensionis Domini*, and all parties are to have that Return prefixed them therein; And all Sheriffs and other Officers respectively shall keep in their hands all Writs, and Process, *&c.* until *Crastino Ascensionis*, and then return the same into the several Courts, and so proceed.

2. No Writs, Processe Plaints, Pleas, Informations, Indictments, or Judicial proceedings had commenced or prosecuted before the fifth of *May* 1660, in the name of *Custodes libertatis Angliæ Authoritate Parliamenti*, or the same in *English*, or in the name of *Oliver* Lord Protector of, *&c.* or in the name of *Richard* Lord Protector of, *&c.* shall be abated or discontinued by the Kings just reassumption of his government, or because of of error, abatement, or discontinuance; but all such Writs, *&c.* and Proceedings, and all Commissions for Answers, or examination of witnesses, Commissions for Fines, Warrants of Attorney, Guardians, or Procheinzamy shall stand, and be continued, and proceeded upon, notwithstanding the change of the Kings name and style, in Judicial Proceedings.

3. One pretended Act made 1650, called an Act for turning law Books and Proceedings in Courts of Justice into *English*, shall be in force until the first of *August* 1660, and no longer. The like Act touching Pleading the general Issue, and giving the special matter in evidence, to continue until the same time also, and no longer.

4. If the general issue hath been pleaded since the twentieth of *November*, 1650. or before the said first of *August*, then such evidence may be allowed, as if the said pretended Act had continued good, and not determined.

5. The Kings Assent to the passing of this Bill shall not determine the Session of this present Parliament.

6. Provided that all Writs, Patents, and Commissions for Justices of either Bench, and Barons of the Exchequer, Commissions of Oyer, and Terminer, and Goal-delivery, and precepts upon such Commissions, and all other Commissions to be made by the Clerk of the Crown in Chancery, Charters, and Letters Patents, of Lands, Liberties, Honours, or Offices, do or may issue in the Kings name, in the same manner as usual before the making of the said first recited pretended Act.

Confirmation.

1. **Stat.** 12. *Car. Secun. c.* 13. All Fines, Recoveries, Verdicts, Judgments, Statutes, Recognizances, Inrolments, Exemplifications, Inquisitions, Indictments, Presentments, Informations, Decrees, Probats of Wills, Letters of Administration, & all proceedings in Law, or Equity in the Courts at *Westminst.* or in *Wales*, or Counties Palatine, or *Dutchy*, *Barwick*, or other inferiour Courts: And all things done by the Judges, and officers in pursuance thereof; or of the Admiralty, Delegates, Justices of Assize, *Nisi prius*, &c. Commissioners of Sewers, Bankrupts, or Charitable uses, and all proceedings thereupon had

had in *England* since the first of *May* 1642, are confirmed: notwithstanding any Defect of legal power, or difference in style, or Title.

2. All Fines levied without paying the Kings silver, or without Entry of money given for the Concord, or before one Judge only are made good, and effectual: And also all Fines, Recoveries, Judiciall Proceedings in the Common-pleas, since the death of the late King, of Lands in *Durham*, are confirmed.

3. All proceedings in the Illegal High Courts of Justice, are hereby excepted, and not confirmed.

4. Whereas since the first of *May* 1641, and before the twenty fifth of *April* 1660, divers who adhered to both Houses of Parliament, have been indicted for Treason; and others also who adhered to his Majesty, or his Father, were impeached in like manner: Enacted, that all such Indictments and proceedings thereupon, and all Grants made of any Lands forfeited by reason thereof, and Title to the mean profits claimed in that respect, be henceforth discharged; And Restitution to be made to the respective persons, their heirs, *&c.*

5. This Act shall not extend to avoid, or confirm any Sales or Estates made by any pretended Act of Parliament since the first of *May* 1642, nor any confirmation thereof in this Parliament, but they to stand in such plight as they should have done if this Act had not been made.

6. All Recognizances, Bonds and Securities made to the late Keepers or protectors,

and not pardoned or discharged by this Parliament, or otherwise, (other then such security as have been given to the said Powers) by any for their adherence to his Majesty, or Father, and relating to the late troubles; all which are declared to be void, (and all proceedings had for the said pretended Powers and unpardoned otherwise then as abovesaid, may be had and prosecuted in the name, and to the use of his Majesty his heirs or successors:) And also excepting all Obligations, Bonds, and Securities, *&c.* to the said pretended Powers by order of any person or persons of any Councel of State, Committee of Safety, Major Generals, Decimators, or any under them, or any other Military power; which are declared also to be void.

7. This Act shall not extend to continue after the eighth of *May* 1660. any of the Judges at *Westminster*, Serjeants at Law, Commissioners of Sewers, or of Bankrupts, or of charitable uses constituted by any the late pretended Powers.

8. Provided, it shall be lawful for any person grieved to have a Writ of Error, Bill of Review, Appeal, or other remedy, in such manner as formerly; other then such Errors, and Defects, as are remedied by this Act.

9. No Nonclaim upon or after any Fine hereby confirmed, shal extend to bar any person, or persons, their heirs, *&c.* (other then the parties to the said Fines, and their heirs and Trustees,) concerning such Right as they had, which by colour of any Act, or pretended Ordinance of Parliament, since the first of *May* 1642, and before the 25. of *April* 1660, were sold,

sold, or disposed of as Crown Lands, or Church Lands, or as the Lands of any person for his adherence to the late King, or his now Majesty, or in relation to the late troubles; so as such persons, their heirs, &c. pursue their claim by Action, or Entry, within five years after the twenty ninth of May 1660.

10. The above mentioned Names, and Styles, of the said usurped Powers, and Authorities, are declared to be rebellious, Traiterous, and abhominable Usurpations, detested by this Parliament as opposite to his Majesties just Right, and a Violation of the Priviledges of Parliament.

11. All pretended Indictments, Out-laws, Inquisitions, and proceedings thereon of High Treason against any person for levying war against *Oliver Cromwel*, or any other late Usurped Power, are made void: And all Assurances, Recognizances, and Judgments for debt, or Damages, heretofore had, or suffered by any person whose conviction, Utlagary, or Attainder, is hereby discharged, shall be of such effect, as if no such Conviction, Utlagary, or Attainder had been.

Customes and Subsidies.

1. **Stat.** 12. *Car.* 2. *c.* 21. If any person after the 1 of *Sept.* 1660, cause any Goods for which custome or other duties are now payable by vertue of the Act passed this Parliament (Entitled. *a Subsidie granted to the King of Tonnage and poundage, &c.*) to be landed, or conveyed away without due Entry thereof first made, and the Officer

Officer in that behalf agreed with, then upon oath thereof made before the Lord Treasurer, or any of the Barons, or Chief Magistrate of the place where the offence is done, or the place next adjoyning, it shall be lawful for them respectively, to issue out a VVarrant to any person enabling him with the assistance of the Sheriff, Justice of Peace or Constable to enter any House in the day time where such Goods are suspected to be; and if resisted, to break it open, and secure the same Goods; and all Ministers of Justice are required to be aiding thereunto, within one moneth after the offence supposed to be committed.

2. This Act to continue unto the end of the first Session of the next Parliament, and no longer.

3. Provided, if such Information for search prove to be false, that then the party injured, shall recover his full Damages and Costs against the Informer, by Action of Trespass to be brought in that behalf.

Star-chamber, Regulating the Privy Council.

1. Stat. 17. *Car. prim. cap.* 10. Reciting *Magna Charta cap.* 29. and divers other Statutes for the Confirmation, and Explanation thereof, *viz.* the Statutes of 5. *Ed.* 3. 25. *Ed.* 3. 28. *Ed.* 3. 42. *Ed.* 3. 36. *Ed.* 3. 3. *Henr.* 7. *cap.* 1. and an Act made 21. *H.* 8. *cap.* 20. and that the Judges have not observed the points limited therein; and that matters examinable before those Judges

Judges, or in the Starchamber, may be redreſſed by the common Law, ſo that the reaſons and motives for the election of that Court, do now ceaſe, the proceedings therein having been found a burden to the Subject, and a means to introduce an Arbitrary power: And the Council Table having of late intermedled in Civil Cauſes, onely of private intereſt, and hath determined of the Eſtates and Liberties of the Subject, contrary to Law, whereby great miſchiefs have happened, and much incertainty in mens eſtates; Enacteth, That the Starchamber Court, and all Juriſdiction exerciſed therein, or by the Judges or Officers thereof, be from the firſt of *Auguſt* 1641. abſolutely diſſolved, taken away and determined: and that all Acts of Parliament whereby any authority is given to that Court, or the Judges thereof, for any proceedings therein, ſhall for ſo much as concerneth that Court be from the ſaid firſt of *Auguſt* abſolutely repealed, and void.

2. that the like Juriſdiction now uſed in the Court before the Preſident, and Councel, in the Marches of *Wales*, and before the Preſident, and Councel in the *North*; the Court of the *Dutchy* of *Lancaſter*, the Court of Exchequer of the County Palatine of *Cheſter*, the like Juriſdiction being exerciſed there, ſhall from the ſaid firſt of *Auguſt* be alſo abſolutely repealed, and made void. And from thenceforth no Court, Councel, or place of Judicature ſhall be erected within *England*, or *Wales*, which ſhall uſe the ſame, or like Juriſdiction as hath been practiſed in the Starchamber.

3. Neither

3. Neither his Majesty, nor his Privy Councel, have or ought to have any Authority by English Bill, Petition, Articles, Libel, or any other arbitrary way to draw into question or dispose of the Lands, Goods, or Chattels of any Subject, but the same ought to be determined by the ordinary course of the Law.

4. And if any Lord Chancellor, Lord Treasurer, *&c.* or Iudge whatsoever, shall offend herein, he or they shall forfeit 500 *l.* to the party grieved, his Executors, or Administrators, to be recovered in any Court of Record at *Westminster* by Action Debt, Bill, *&c.* wherein no Essoine, *&c.* shal be allowed, nor any more then one Imparlance; and if any person, against whom such Iudgment shall be had, shall afterward offend in the same, the forfeiture of 1000 *l.* to the party grieved as aforesaid, and for the third offence shall be disabled *ipso facto* to bear his office, and to make any gift, or other disposition of his Lands, Goods, or Chattels, or to take benefit of any conveyance, or legacy to his use: and likewise shall forfeit to the party grieved his treble Damages, to be recovered as abovesaid.

5. If any person shall be imprisoned by order of any of the Courts aforesaid, or by command of the King, his heirs, or Successors in his own person, or by the Counsel Board, or any of the Privy Councel, the person so committed, upon motion to the Iudges of the Kings Bench, or common Pleas in open Court, shall have without delay a *Habeas Corpus* to the officer in whose custody the party shall be, who shall bring, or cause him to be brought before the

the Judges of the ſaid Court from whence the writ iſſued, and certifie the true cauſe of his deteiner; and the Court within three Court days after the return ſhall determine the cauſe according to Juſtice: And if any thing ſhall be otherwiſe done, or omitted by any Judge, officer or other perſon aforementioned, the perſon ſo offending ſhall forfeit to the party grieved his treble Damages, to be recovered as aboveſaid.

6. A Proviſo, That this Act ſhall extend onely to the ſeveral Courts above particularly mentioned, being five in number; And to all Courts of like Juriſdiction to be hereafter erected: And to the Warrants and directions of the Councel Board, and to the commitments made by the King, his heirs or Succeſſors, in their own perſon, and by the Lords and others of the Privy Councel, and every one of them;

7. Laſtly, The party ſuppoſed to have offended againſt this Act, ſhall be impleaded for the ſame, within two years at the moſt after the offence committed.

High-Commiſſion Court.

1. Stat. 17. *Car. prim. cap.* 11. Reciting the Act of 1. *Eliz. cap.* and among other things one clauſe to this effect, That the ſaid Queen, her heirs, and Succeſſors ſhould have power by that Act by Letters Patents to authorize as often as they ſhould think meet, ſuch being born Subjects to exerciſe all manner of Juriſdictions

Juriſdictions touching Eccleſiaſtical affaires in *England* and *Ireland*, or any other their Dominions, and redreſſe all Errors, Hereſies, Schiſmes, abuſes and Enormities, which by any ſpiritual power may be reformed, enabling ſuch perſons by vertue of that Act, and of ſuch Letters Patents to execute the premiſes, and that by colour of ſome words in the ſaid clauſe ſuch Commiſſioners have to the great oppreſſion of the Subjects, fined, and impriſoned them, and exerciſed other authority not belonging to that juriſdiction, whereby great inconveniences have enſued: It is Enacted, that the ſaid Branch or Clauſe, and every matter therein ſhall be repealed, and annulled for ever.

2. That no Arch-biſhop, Biſhop, Vicar general, Chancellor, Official, nor Commiſſary, *&c.* or any other Eccleſiaſtical Judge or officer exerciſing ſpiritual Juriſdiction, by any Grant or Commiſſion from the King, his heires, or Succeſſors, or by any power derived from them, ſhall from the firſt of *Auguſt* 1641. impoſe any pain, penalty, fine, amercement, impriſonment, or corporal puniſhment upon any Subject, for any contempt, offence, or matter whatſoever belonging to Eccleſiaſtical cogniſance; or ſhall *ex officio* at the inſtance of any man, urge, enforce, or miniſter unto any perſon whatſoever any Corporal oath, whereby he or ſhe may be charged to preſent any crime or offence, or to confeſs or accuſe themſelves of any thing whereby they may be liable to any cenſure or puniſhment whatſoever, upon pain to forfeit treble Damages to the party grieved and

and 100*l.* to him who ſhall firſt ſue for the ſame, to be recovered in any Court of Record wherein no Priviledge, Eſſoine, *&c.*

3. Every perſon convicted of any offence prohibited by this Act, ſhall be diſabled to be in any office in any Court of Juſtice whatſoever, or to execute any power by force of any Commiſſion, or Letters Patents of the King, his heires or Succeſſors.

4. And that from the ſaid firſt of *Auguſt*, no new Court ſhall be erected within *England*, or *Wales*, which ſhall have the like Juriſdiction as the High Commiſſion Court now hath; But that all ſuch Letters Patents made or to be made by the King, his heirs, or Succeſſors, and and all Decrees made by vertue thereof, ſhall be utterly void, and of none effect.

Stannary Courts.

1. Stat. 17. *Car. prim. c.* 15. Several Charters, and Declarations in the Reigns of *Ed.* 1. and *Ed.* 3. touching the Stannary Courts ſhall be obſerved, and that the words in the ſaid Charters (*In locis ubi operantur,*) be expounded of the Vill, Tithing and Hamlet, where ſome Tinne-work in work is ſcituate, and not elſewhere, ſo long as the ſame Tinne-work ſhal be in working.

2. If any perſon ſued in the Stannaries, ſwear in that Court that at the ſuit commenced he was not a Tinner, then ſuch Defendant ſhall be diſcharged, unleſs the Plaintiff ſwear that he is a Working Tinner without fraud: and that the cauſe of his Suit aroſe within the

the Stannaries, or concerneth Tinne, or Tinne-works.

3. If any person, not *re vera*, a labouring Tinner, set on work within one half year next before his Suite, implead in the said Courts any person that is not a Tinner at the Suite commenced, the Defendant shal recover at the Common Law 10 *l.* his Damages, and Costs: if the Action be brought within two years after the Suite in the Stannary Courts, or before the Warden, Vic-warden, or Steward.

4. The like costs for the Plaintiffs and Defendants in the Stannary Courts, as are by the Laws and Statutes of this Realm *Via versa*.

5. Tinners may sue any Forreigners at the Common Law, notwithstanding any Charter, or usage to the contrary.

6. No person to be charged as Surety by return of any Bailiff of the Stannaries, unless the Surety shall in the presence of two witnesses subscribe a note that he is a Surety: and therein mention the names of Plaintiff, and Defendant, and the sum, or Damages demanded, and the Action, and signed by the said witnesses, and filed in the Court, out of which the Processe issued, and no Bailiff of the Stannaries shall be a witnesse thereunto.

7. No Defendant shall be condemned upon a Bailiffs Return for not appearing, without a note under the hand of the party arrested, subscribed by witnesses as aforesaid, be returned into the said Court, at or before the day of appearance, and the Bailiff to have but 4 *d.* for such note: and none shall be bailed upon

upon arrest there till he give such note.

8. If a Bailiff return a Rescous against any person, he may traverse the Return, and if it be found with him, he shall be no further troubled by reason thereof.

Court of Wards and Liveries, *See* Wards.

Corporations, *See* Ireland.

Clerk of the Market, *See* Market.

Disbanding, *See* Souldiers.

Excise.

1. **Stat.** 12. *Car. secun. c.* 4. Excise continued to the twentieth of *August* 1660.

2. Provided, all Oyles, Wines, Tobacco of English Plantations, Silks, Tapes, Inkles, Linnens, Pan Tiles, Cards, Girdles, Cabinets, Coperice, Hops, Lace, and all things made of Earth, Glass, or Stone, imported after the twenty fourth of *July*, 1660, shall pay no Excise.

1. **Stat.** 12. *Car. secun. cap.* 7. The Excise shall continue (and all arrears from Farmers since the twenty fifth of *March* 1657, and from Merchants, and others from the twenty fifth of *March* 1658,) and be levied by *Nathaniel Manton*, *Benjamin Goodwin*, *Thomas Lenthal*, and *Edward Wingate*, from the twentieth of *August* 1660, until the twenty fifth of *December*, in the same year, as it was paid the twenty

twenty fifth of *April* 1660. And Sir *Richard Brown*, Sir *William Doiley*, *John Birch*, *William Prinne*, *Edward King*, and *Robert Seawen*, are appointed Commissioners for Appeals, and regulating the Excise, as was used the said twenty fifth of *April*.

2. The commodities particularly mentioned in the precedent Acts are discharged of Excise, being imported after the twenty fourth of *July* 1660.

Stat. 2. *Car.* 2. *cap.* 22. That from and after the twenty fifth of *December* 1660, there shall be throughout *England* and *Wales*, and Town of *Berwick* upon *Twede*, raised, levied, collected, and paid unto Your Majesty during Your life for Beer, Ale, Syder, and other Liquors herein after mentioned, the several rates, impositions, duties and charges hereafter expressed, *viz.*

For every Barrel of Beer, or Ale, above six shillings the Barrel, to be paid by the Brewer or by him that doth sell the same. 1 *s.* 3 *d.* and so proportionable.

For every Barrel of six shillings Beer, or Ale, or under to be paid by the Brewer or seller 3 *d.*

For every Hogshead of Syder and Perry to be paid by the Retailer thereof, 1 *s.* 3 *d.*

For every Gallon of Metheglin or Mead sold, to be paid by the maker thereof, *ob.*

For every Barrel of Beer, commonly called Vinegar-beer, brewed by any Common-brewer, 6 *d.*

For every Gallon of Strong-water or Aqua-vitæ made and sold, to be paid by the maker thereof

thereof, 1 *d.*

For every Barrel of Beer or Ale imported from beyond the Seas, 3 *s.*

For every Tun of Syder or Perry, imported from beyond the Seas, 5 *s.*

For every Gallon of Spirits made of any kind of Wine or Syder Imported, 2 *d.*

For every Gallon of Strong water perfectly made, imported from beyond the Seas, 4 *d.*

For every Gallon of Coffee made and sold, to be paid by the maker, 4 *d.*

For every Gallon of Chocolate, Sherbet, and Tea, made and sold, to be paid by the Maker, 8 *d.*

2. That the several Rates, Duties, and charges of Excise, above-mentioned, hereby set upon all the said Forraign Liquors which shall be imported into any part of this Kingdome and dominions thereof aforesaid, from and after the twenty fifth of *December* next, shall be paid by the Merchants Importer of the same in ready money, upon Entry made, and before landing thereof.

3. That all Common Brewers shall once a week make true and particular Entries at the office of Excise, within their limits of all Beer or Ale, which they shall brew in that week, under penalty of 5 *l.* And every Inn-keeper, shall make the like Entry once a moneth of all Beer or Ale, *&c.* which he retails in that time, under the penalty of 5 *l.* And every Alehouse-keeper, Victualer, and other retailer of Beer, Ale, Syder, Perry, Metheglin, Strong-water, or other Liquors, shall once a moneth also make the like Entry of what they make

or

or retaile in the moneth under penalty of 10 s.

4. That every Common brewer who shall not pay and clear off within a week, and every Inn-keeper, Alehouse-keeper, Victualler, or other Retailer, who shall not pay and clear off within a moneth after his Entry made or ought to have been made as aforesaid, shall pay double the value of his duty: the forfeitures to be levied upon their Goooods and Chattels, in manner hereafter directed.

5. That no such person aforesaid shall be compelled to travel to make his said Entries, or for payment of the said duties, or other cause whatsoever, if he be in a Market Town out of the said Town, if he live out of a Market Town, then no farther then the next Market Town on the Market day.

6. That the Commissioners which shall be appointed by his Majesty, for putting this Act in Execution, and their Sub-commissioners shall have power to constitute under their hands and seals, so many Gagers as they shall find needful, which Gagers shall at all times, as well by night as by day: And if by night, then in the presence of a Constable, or other lawful officer, be permitted upon their request to enter the House, Brew-house, distilling-house, and all other houses and places whatsoever, belonging to, or used by any Brewer, Inkeeper, Victualler, or other Retailers as aforesaid: And to Gage all Coppers, Fats, and Vessels in the same, and to take an account of Beer, Ale, Worts, or other the Liquors aforesaid, in the said places, and Vessels from

from time to time, brewed, made and distilled; and thereof to make return in writing to the said Commissioners or Sub commissioners of Excise, under whose office or limits such Brewer, Retailer, Distiller or maker of the Liquors aforesaid doth dwell, leaving a true Copy of such Return in writing under his hand, with such Brewer, Retailer, Distiller, or makers of the Liquors aforesaid; and such Returns of the said Gagers, shall be a charge upon the said Brewers, &c. and upon refusal to let such Gager enter, or to gage or take accompt as aforesaid, such Brewer, Retailer, or Distiller, shall be forthwith forbidden by the Gager to sell, or deliver unto any one any of the Liquors aforesaid; and if after such warning given, they shall sell or deliver out the same or any part thereof, not having paid and cleared the duty of Excise, such person shall besides the forfeiture of double the value, forfeit and lose the sum of 5 *l.* as aforesaid, for every offence, to be levied upon his or their Goods and Chattels in manner hereafter ; Provided,

7. That every six and thirty Gallons of Beer, taken by the Gage according to the Standard of the Ale quart, four whereof shall make the Gallon, shall be reckoned by the Gager for a Barrel of Beer; and every two and thirty Gallons of Ale, taken by the Gage according to the same Standard, shall be accounted for a Barrel of Ale: And all other the Liquors aforesaid, according to the Wine Gallon.

8. Provided that no Brewers or Retailers of

of Beer or Ale, ſhall take any more in the price thereof then the uſual rates and priſes, ſaving the Exciſe thereupon due as aforeſaid.

9. That the Common Brewers or Makers of Beer, in conſideration of waſte by filling and Leakage of Beer and Ale, ſhall have and be allowed out of the Returns made by the Gagers as followeth (*viz.* upon every Twenty three Barrels of Beer whether ſtrong or ſmall returned by the ſaid Gagers, three Barrels, and upon every 22 Barrels of Ale whether ſtrong or ſmall two Barrels; which ſaid allowances the the ſaid Commiſſioners to be apointed as aforeſaid, and their Sub-commiſſioners are to allow.

10. That where any Common Brewer ſhall willingly make a falſe Entry, and be convicted for the ſame before the Commiſſioners, or any two of them, or other perſon or perſons hereafter appointed, he ſhall forfeit, and loſe, beſides the penalties aforementioned, the ſaid allowance ſo to be made for ſix moneths after.

11. That no Beer or Ale ſhall be delivered in by ſuch brewer or maker to any Retailer, *&c.* until the Rate which by ſuch Retailer is to be paid over and above the price of the ſaid Beer or Ale, for or in reſpect of this dury, be firſt paid and ſatisfied by the ſaid Retailer, *&c.* to the Brewer or Maker thereof; Provided, if any brew and ſell by retaile any ſmall quantities in any Fair within this Realm, and ſhall before ſuch ſelling well and truly pay the duty due for the ſame to the Commiſſioners or Sub-commiſſioners, within whoſe limits the Fair

Fair shall be, or to the officers thereto appointed, then such person or persons so brewing or retailing the same, for so much and no more, shall be free from all penalties and forfeitures in this Act before mentioned.

12. Provided, That it shall be lawful for the said Commissioners and Sub-commissioners respectively to compound for this duty with any Inkeeper, Victualler, or Retailer of any the Liquors aforesaid, from time to time, as may be most for the improvement of the Receipts thereof.

13. That the Lord Treasurer or Commissioners of the Treasury for the time being, or such other as his Majesty shall appoint, are impowred from time to time to treat, contract, conclude and agree, with any person or persons for the farming of all or any the Rates, Duties, and Charges touching the Liquors in this Act mentioned, as may be for the greatest advantage of the said Receipt, so as the same extend not the term of three years; and every such agreement, by the persons aforesaid, shall be good and effectual in Law, to all intents and purposes; And that the Lord Treasurer, Commissioners of the Treasury, or persons aforesaid, shall not within six moneths after the commencement of this Act, treat, conclude, or agree with any for the farming of this duty of Beer and Ale, other then with such as by the Justices of the Peace or major part of them at the quarter Sessions shall be nominated, which persons so nominated to have the first refusal thereof; and that the said Duty shall not be let to any other under the rate that shall be

be tendered to and refused by such person so recommended.

14. All Offences done within the Limits of the Office in *London*, shall be determined by the chief Commissioners of Excise, or for Appeals, or the Major part of them, and all other offences elsewhere shall be adjudged by any two of the next Justices of the Peace; and if they neglect to do it by fourteen dayes after notice, then the Sub-commissioners are to determine the same, and if the party be grieved by the Sub-commissioners, he may appeal to the Justices at the quarter Sessions, whose Judgment shall be final; which said respective persons are strictly required upon complaint to summon the party, and upon appearance or contempt, to proceed to examination of the matter, either by his confession, or by oath of one or more witnesses, and to give judgement therein, and to Issue Warrants for levying such penalties upon the Goods of the offender, and to sell the same (if not redeemed within fourteen days) rendring the overplus, and for want of distress to imprison the party till satisfaction be made; Provided, it shall be lawful for the persons impowred as aforesaid, to mitigate the said forfeiture, or fine as they shall think fit; so as by such mitigation it be not made less then double the value of the duty which should have been paid, besides the charges of such officers Imployed therein to be allowed them by the said Justices, (all the said penalties, the neeessary charges for recovery thereof being first deducted) shall be imployed three parts, to the King, and the fourth part to the informer. 15.

15. That one head Officer shall be erected by the King in *London*, or within ten miles thereof, for his Duty from time to time, as long as his Majesty shall think fit; unto which all other Officers within *England*, *Wales* and *Berwick*, shall be accomptable; which said Office shall be managed by such Officers as shall be appointed, who or any two of them, are constituted Governours for the managing of this Duty, and to sit as aforesaid.

16. That no person be capable of intermedling with any imployment relating to the Excise, until he take an oath before two or more Justices in that County, or one of the Barons of the Exchequer (besides the oaths of Allegiance and Supremacy:) The form of which Oath followeth, *mutatis mutandis*.

You shall swear to execute the Office of——— truly and faithfully, without favour or affection, and shall from time to time true accompt make, and deliver to such person or persons as his Majesty shall appoint to receive the same, and shall take no fee or reward for the Execution of the said office, from any other person then from his Majesty, or those whom his Majesty shall appoint in that behalf.

§ 17. The Oath so taken to be certified by the Justices to the next quarter Sessions, there to be recorded. All Parishes within the Bills of Mortality shall be under the management of the said head Office; and such and so many subordinate Commissioners and Sub-commissioners and other Officers for the execution of the premisses, shall be from time to time appointed by his Majesty, in all and in every

the other Cities, Towns, and Counties, within *England* and *Wales*, and Town of *Berwick*; the said Office of Excise in all places shall be open from 8 in the morning till 12 a clock at noon, and from two till 5 in the afternoon.

18. And the said Chief Commissioners or the Major part shall from time to time pay in such moneys as they shall receive, into the Receipt of Exchequer.

19. That if any person shall be sued for any thing done in pursuance of this Act; he may plead the General Issue, and give this Act in evidence; and if a Verdict be for the Defendant or the Plaintiff be non-suite, then such Defendant shall have double costs.

20. No *Certiorari* shall supersede proceedings upon any order made by the Justices in pursuance of this Act.

21. That nothing in this Act shall prejudice *Edw. Backwell* Alderm. of *London*, as to the sum of 28450 *l.* by him advanced upon the credit of several Orders of this Parliament, and by them charged upon the Excise, which said sum together with interest at 6 *l. per Cent.* shall be paid to the said *Edw. Backwell* or his Assignes out of the Excise, as by the said Orders is appointed.

See Wards and Livery.

Stat. 12. *Car.* 2. *cap.* 23. That there shall be paid unto the King his heirs and Successors for ever, in recompence for taking away of all Tenures *in Capite*, and by Knights Service, and Puryeyances, the several Rates and duties therein

therein expressed, which agree in manner and form both for the duties, and for the levying and management thereof, with the Act of Excise for his Majesties life, before particularly expressed (except the alterations hereafter mentioned) (*viz.*) in the third and sixth Sections under title Excise 10 *l.* forfeited in stead of 5 *l.* and this Proviso also following, *viz.* that this Act shall not in any manner invalidate the Act of this Parliament for Free and General Pardon, Indemnity, and Oblivion.

Forests.

1. 8 stat. 17. *Car. prim. cap.* 16. The Bounds of all Forests in *England*, and *Wales*, shall extend no further respectively, then the limits thereof were in the twentieth year of King *James*, and not beyond in any wise; any Perambulation, Surveys, or Record whatsoever to the contrary notwithstanding: And all Presentments made since that year and Judgements thereupon, and all Perambulations and Acts heretofore made, whereby the Meers of Forests are further extended then as aforesaid; And also all presentments of any persons at any Justice seat, Swanemote, or Court of Attachments by reason of any Acts done in any place without, or beyond the said bounds respectively, commonly known as aforesaid, and all Fines, and Amercements, by reason of such Presentments are adjudged utterly void, and of no effect.

2. No place within *England*, or *Wales*, where no Justice-seat, Swanemote, or Court of Attachment have been held, or no Verderors

chosen, or regard made within sixty years next before the first year of the Kings Reign, shall be hereafter taken to be Forest, or within the bounds thereof: Notwithstanding any Forest Courts kept for such places since that time, or any Act to the contrary.

3. For the better certainty of Forests, and their Meets, the Lord Chancellour, or Lord Keeper *pro tempore*, shall by virtue of this Act upon the request of any of the Peers, or of the Knights and Burgesses of Parliament, or any of them, grant Commissions to persons to be named respectively, by them to find out Inquests of men upon oath, and also of witnesses, the limits of Forests which were commonly known to be so in the said twentieth year of King *James*: and to return them into the Chancery: and all Sheriffs, Bailiffs, in such County where such inquest shall be taken, and all Officers of the Forests shall be assistant in the execution of that Commission; and if no Officers there, or shall refuse their attendance, then the Commissioners may proceed without them therein, and the bounds so certified shall be adjudged Forests, and no further.

4. A Proviso, That all the Grounds, and Territories which have been Disforested, or mentioned so to be, by any Letters Patents, or otherwise since the said twentieth year of King *James*, shall be excluded out of the bounds of the Forests, which are to be inquired of, and certified by vertue of the said Commissions, or any of them, and to be exempt to all intents and purposes.

5. All Tenants, Owners, and Occupiers of Lands,

Lands, which shall be excluded out of Meets of the Forests, to be certified by vertue of the Commissions aforesaid may use such Common, Profits, and Easements within the Forests as anciently they have enjoyed; any thing in this Act, or an Ordinance made in the thirty third year of King *Edward* the first, or any Customs or Law of the Forest, or other matter to the contrary notwithstanding.

Gun-powder.

1. Stat. 17. *Car. 1. cap. 3.* It shall be lawful to all persons as well Strangers as Subjects to impore any quantitys of Gun-powder, paying such customs as shall be limited by Parliament.

2. It shall be lawful for all Subjects of *England*, to make and sell any quantities of Gun-powder, and to impore any quantities of Salt-peter, Brimstone, or other materials necessary for the making thereof.

3. If any person after the tenth of *August* 1641, put in execution any Letters Patents, Proclamation, Warrant, or Inhibition, whatsoever, to hinder the Importation of Gun-powder, Salt-peter, Brimstone, or materials aforementioned, or any of them from forraign parts, for the making of Gun-powder within this Realm, such person shall Incurre a Præmunire.

Holy Orders, *See* Ministers.

Ireland.

1. Stat. 17. *Car. 1. cap.* 33. For reducing of the Rebels of *Ireland* to their obedience,

and satisfaction of such persons as shall disburse any money for that purpose; Enacted, That for each adventure of 200 *l.* 1000 Acres in *Ulster*, for 300 *l.* 1000 Acres in *Conaght*, for 450 *l.* 1000 Acres in *Munster*, for 600 *l.* 1000 Acres in *Leinster*, according to the English measure, and being Meadow Arable, and Pasture, the Bogs, Woods, and Barren Mountains being cast in, besides the two Millions and a half of Acres therein mentioned, to be holden in Socage of the King, as of his Castle of *Dublin*.

2. Out of those two Millions and a halfe, a Rent shall be reserved to the Crown, *viz.* Out of each Acre in *Ulster*, one peny: in *Conaght* three halfe pence: in *Munster* two pence farthing: in *Leinster* three pence, for Improvement of the Kings Revenue.

3. For erecting Mannors, setling of Commons, maintaining of Ministers, creating Corporations, & regulating the Plantations, Commissions to be hereafter granted by Parliament.

4. All the undertakers in *London*, or within 20 Miles, to underwrite their sums before the twentieth of *March* 1642. and within sixty miles of *London*, before the first of *April* 1642. and the rest of the Kingdome before the first of *May* 1642. The several sums to be paid in at four payments, (*viz.*) One fourth part within ten dayes after such underwriting, and the rest at three moneths, and three moneths, to be paid into the Chamber of *London*.

5 For the better securing the said sums, every underwriter shall at the subscription pay the twentieth part of the sum underwritten; and if

if the reſidue of the firſt fourth part, be not paid within the ten days to the perſons appointed, the party ſhall not onely forfeit the ſaid twentieth part, but ſo much more of his firſt fourth peyment, as ſhall make up a moity of the ſaid firſt payment: And if he faile in any other of the three payments, he ſhall forfeit his whole firſt part, and the benefit of his ſubſcription, which ſhall accrue to the benefit of the other under-writers; All which recited particulars (being called Propoſitions) are ratified by that Act; with ſuch Explanations, Alterations, and Additions, as therein are expreſſed.

6. Every perſon which upon the 23 of *Oct.* 1641, or after ſhall be in rebellion or levy war in *Ireland*, or aid any perſon therein, ſhall loſe to the King, *&c.* all ſuch right, uſe and poſſeſſion, as they or any other perſon in truſt for them, on the ſaid twenty third day or after, ſhall have in any Honors, Lands, Rents, Annuities, Reverſions, Remainders, Uſes, Poſſeſſions, Offices, Rights, Conditions, or Hereditaments of what nature ſoever. All which premiſſes ſhall from the day aforeſaid, or after be adjudged in the actual poſſeſſion of the King, his heirs, *&c.* without any Office.

7. That two millions and a half of Acres of meadow arable, and paſture, which are or ſhall be forfeited by vertue of this Act, with Woods and Bogs caſt in, and the buildings thereupon, ſhall be for the ſatisfaction of ſuch perſons as ſhall underwrite any moneys, and pay the ſame according to this Act; to be allotted to each under-writer, according to the proportion of the ſums under-written, and paid in; and to be holden as aforeſaid.

8. *John Warner*, *John Towse*, *Tho. Andrews*, and *Lawrence Halstead*, appointed to give their daily attendance at the said Chamber of *London*, to receive all Subscriptions and moneys, and to give receipts for the same, and they to enter the names of the underwriters, together with the sum and time of Subscription into Books for that purpose, and to dispose of such moneys, as both Houses of Parliament shall direct.

9. The Sheriffs in *England* and *Wales*, to receive all Subscriptions and moneys in their respective Counties and to appoint days and places for that purpose, and to give Receipts thereof, and return the sum subscribed and received, with the names of the underwriters, and the times of their Subscriptions, to the Chamber of *London*, to the parties aforesaid, or any two of them, and they to give acquittances for all such moneys received of the Sheriffs, and they and the Sheriffs, their heirs and executors to accompt for all such Moneys, as both Houses of Parliament shall direct.

10. When the Lords and Commons in Parliament by Order declare that the Rebels are subdued, and this present Rebellion in *Ireland* is ended, the Lord Chancellor or keeper for the time being, after notice thereof, are authorized to Issue Commission into the said four Provinces for the surveying and setting forth of the said two millions and a half of Acres for the purpose aforesaid, and to measure forth of the same six hundred and five and twenty thousand Acres in every of the said Provinces of such Lands as

aforesaid, with the buildings thereupon, and to divide the same by lot amongst such underwriters and their heirs, as may die before the division, and the Assignes of such underwriters as shall assign their Shares or any part thereof, before Division according to the proportions abovesaid, and the sums paid in: the division to be made as the Lords and Commons shall direct, wherein no favour is to be given to any one, but all to be determined by lot and each underwriters Land to be laid together, or so near as may be: and if six hundred twenty and five thousand Acres shall be wanting in any Province of the profitable Lands aforesaid, so much as shall be wanting thereof to be supplied out of the Rebels Lands, or out of the other Provinces, respect being had to the value of the Land in each Province; according to the propositions, and the Commissioners to return their proceedings therein Ingrost in Parchment, into the Chancery of *England* and *Ireland* respectively to remaine of Record.

11. And after such underwriter his heirs or Assignes have drawn their Lot for their shares, they shall be adjudged in the actual possession and seisin of all such Lands mentioned in his Lot, and enjoy to him and his heirs, all and singular the particulars, with the appurtenances in the Lot contained.

12. Any person which within three moneths after such allotment shall have a thousand Acres or more of the said two millions and a half lying together in the Province of *Leinster*, or 3 thousand or more lying in *Conaght*, or 1500 or more lying in *Munster*, or 3000 or more lying in

ster, shall have for such respective quantity of Acres, power to create a Mannor within the limits thereof, and to reserve tenures to hold of himself and his heirs at pleasure of such Mannor, and shall have a Court Leet, and Court Baron, and enjoy all such Royalties and Franchises, &c. as is usual and belonging, and also Deodands, Felons goods, and goods of Felons of themselves, together with all Waifes and Strays.

13. Plantations shall be regulated, Coporations created, Churches erected, and Ministers maintained within the limits of the Lands divided, in such manner as by Commissioners nominated by the Lords and Commons, shall be ordered.

14. The Lord Chancellour or Keeper for the time being, shall by direction from the Lords and Commons, issue out Commissions for that purpose, to such persons as the Lords and Commons shall appoint.

15. All Patents granted of any of the Rebels Goods or Lands, or of Goods or Lands forfeited by this Act, and of Pardons granted to any of the Rebels before attainder after the twenty third of *Octob.* 1641, without assent of the Lords and Commons, shall be adjudged void.

16. Commissioners authorised by this Act to set forth underwriters Lands, shall forty days before they so do, cause proclamations to be made in every County of that Kingdom (*viz.*) That every person which had any right the 23 of *Octob.* 1641, in any of the said Rebels Lands, or others forfeited by this Act, within the County where Proclamation is made, shall enter his claim

claim in the Chancery of *Ireland*, within twenty days after Proclamation made.

17. Any person which shall after the first of *March* 1640, make or take any Bond, Oath, or Promise, to bring into that Realm the authority of the See of *Rome*, or defend the same, shall forfeit all his Lands entailed, or not entailed, and personal estate which he or any other person in trust for him, had at the making of such promise, except such Lands, and Goods, as were sold *bona fide* before the 23 of *October* 1641.

18. If any person since the 23 of *Oct.* 1641, be or shall be in Rebellion in that Kingdom and be dead, or die before attainder or pardon for the same; All his Estate real and personal which he or any person for him had the day aboveſaid or after, shall be forfeited, and adjudged in the actual possession of the King, his Heirs and Successors.

19. Any person that shall be attainted for Treason or die in Rebellion, before attainder or pardon, or make any such Compact or promise as aforesaid, shall after the said first of *March*, make or hath made any assurance of Lands, *&c.* in *Ireland* to his own use, or for his wife & children, or so in trust, all such Uses and Estates (except they were made *bona fide* before marriage, or in persomance of any Covenant in writing before mariage for the use of his wife and children) shall be forfeited & adjudged in the actual possession of the K. his heirs & successors.

20. Every Subject of *England*, *Scotland*, or *Ireland*, that shall underwrite within this Kingdom 10. *l.* or more for the purpose aforesaid, before the first of *May* 1642, and before the

the Million of money (in the Act mentioned) be underwritten, and pay in one Moity thereof to the said receivers at the Subscription, and pay in the other Moity within six months after: And every Subject of the said three Kingdomes that shall underwrite the sum of six pounds or more in *Ireland* for the purpose aforesaid, in a Book to be kept by the Treasurer of the Army there, for the time, being who shall enter the names of such underwriters and the time, and the sums subscribed before the first of *July* 1642, and before the said million of mony shal be underwritten, and shall at such subscription pay one moity thereof to the said Treasurer, for the time being, and the other moity within six moneths after; every person so subscribing in *England* or *Ireland*, shall have a proportionable share of the said Rebels Lands, and other Lands, forfeited, according to the sums subscribed, and as if such persons had underwriten within the times mentioned in the said Propositions, and had paid in his moneys accordingly.

23. Any person having any part of the said Lands allotted, may export out of *England* and *Wales* any Horses, Mares, Cattel, Sheep, or other Goods for the stocking of the said Lands, within two years after such allotment, without paying any custome for the same: nevertheless security to be given in to the Officers of the Customes, or one of them, that the said Horses, and Cattle shall be *bona fide* imployed for the improving of the said Lands and to no other purpose; Saving to all persons, bodies Politick and Corporate, their heirs, &c. (other then the said Rebels and their Abettors,

Abettors, and every perſon claiming under them, or to their uſes, or in truſt for them,) ſince the ſaid 23. of *October*, all ſuch right and intereſt which they had out of any of the ſaid Houſes, Lands, or Premiſſes, and forfeited by this Act the twenty third of *October* 1641, ſo that every ſuch perſon, bodies politick or Corporate, whoſe right is ſo ſaved, their heirs, *&c.* do enter their claim to any ſuch right in the Chancery in *Ireland*, within 20. days after Proclamation made as aforeſaid.

1. *Car.* 18. *Car.* 1. *cap.* 34. For Addition, and Explanation of certain Clauſes in the Precedent Act, (*viz.*) All Subjects dwelling in *London*, or within 60 miles, who ſhall before the twentieth of *April* 1642, underwrite any moneys as in the ſaid Act is menioned, and pay in the fourth part thereof at or before the ſaid twentieth day of *April*, and the reſt within three moneths, and three moneths, by even portions, accounting twenty eight dayes to every moneth, to begin from the ſaid twentieth day, the ſame to be paid at the Chamber of *London*, to any two of the perſons named in the ſaid Act, in ſuch manner as in that Act is declared.

2. All Subjects inhabiting 60 miles or more from *London*, and all Subjects of *Scotland*, who ſhall before the 10. of *May* 1642, underwrite any moneys, as in the ſaid Act, and pay the 4. part before the ſaid 10 of *May*, the reſt within three Months, three Months, and three Months, by equall portions, to be accompted from the ſaid tenth of *May*, and to ſuch perſons, as herein before, and by the ſaid Act is expreſſed,

expreſſed, ſhall have proportionable ſhare of of the Lands mentioned in the ſaid Act, according to the ſums underwritten, and paid in, under the conditions and limitations in the ſaid Act, or Propoſitions mentioned as largely as if it had been done at the days in the ſaid Act, or Propoſitions expreſſed.

1. *St.* 18. *Car.* 1. *c.* 35. All Cities, Boroughs, and Towns corporate, within 60 miles of *London*; and all Companies, Guilds and Fraternities of any Craft or Myſtery incorporated within *London*, or other City within 60 miles, who before the 20. of *May*, 1642, by their Citizens, Burgeſſes, or other Head-officer reſpectively, ſhall underwrite any moneys, and pay the fourth part thereof on or before the ſaid 20. day of *May*, and the reſt within 3. months, 3. months, and 3. months, by equal portions, after 28. days *per menſ.* from the ſaid 20. day of *May*, at the Chamber of *London*, in ſuch manner as is appointed in a foregoing Act, ſhal have a proportionable ſhare in the ſaid Lands of Rebels, and others forfeited there, according to the ſums by them underwritten, and paid in, under ſuch conditions and limitations as are mentioned in the ſaid Act, to all intents: Any thing in the Statute made in the 15. year of *R.* 2. or in any other Statute of Mortmain whatſoever to the contrary notwithſtanding.

Stat. 18. *Car.* 1. *cap.* 37. Reciting the three foregoing Acts, in purſuance of which divers great ſums have been ſubſcribed, and part paid in, and that divers other perſons, Bodies-politick, *&c.* would do the like, if the time limited in the ſaid Acts for ſubſcribing, *&c.* were not elapſed;

elapsed; Enacteth, That all persons of the *English*, *Scottish*, *Irish* and *Dutch* Nation, being Protestants, and every Body politick and corporate of this Realm (who before the 20. of *July*, 1642, shall underwrite to the intents in those Acts mentioned, any moneys not being under 100 *l.* and shall pay the fourth part on or before the said 20. day of *July*, and the residue within 3. months, 3. months, and 3. months, equally, at such places as in the recited Acts are expressed) shall have to them, their heirs, successors or assigns respectively a proportionable part of the said Lands, according to their sums underwritten, and paid in under such conditions, *&c.* as in all or any of the said Acts are expressed, in as ample manner as if such underwriting and payment had been at the days in the said Acts appointed.

2. All the respective persons and Corporations which have or shall underwrite any moneys to the purposes mentioned, and hath or shall (as the said Acts limit) pay in a fourth part or more thereof, and the residue before the said 20. of *July*: And every person or Body Politick, which shal underwrite any moneys at the Chamber of *London*, and pay in the whole sum unto the said Receivors in manner aforesaid, before the said 20. of *July*, shall have to them, their heirs, successors and assigns a proportionable number of acres of the said 2 millions and half, besides Bogs, *&c.* with the houses thereupon built, according to the sum underwritten and paid in, to be measured out according to the plantation measure, *viz.* every *acre* to be 160. *pearches* or *poles*, & every *pearch* 21. foot,

foot, and to enjoy the same upon the conditions, &c. aboveſaid.

3. Whereas the two million and half of Acres mentioned in the ſaid firſt Act are to be of Engliſh meaſure. Now that all perſons, and corporations, who have or ſhall underwrite for the ſaid purpoſes, and pay in accordingly, before the ſaid twentieth of *July*, may have Lands ſufficient to give them ſatisfaction, and at the proportion of 21 foot to the Pole for every Acre; It is Enacted, that every Acre of the ſaid two millions and half of Acres, ſhall be 3 ſcore Pearches or Poles, & every Pearch or Pole 21 foot, and all the ſaid 2 millions and half of the Rebels Lands, &c. ſhall be meaſured accordingly, any thing in the ſaid Acts to the contrary notwithſtanding.

4. Provided, That all perſons, and Corporations which have, or ſhal underwrite any monys, and have and ſhall pay in ſuch Moneys, according to the ſaid Acts, or the times limited in the firſt clauſe of this Act, and ſhall not pay in all the reſpective ſums before the ſaid 20 of *July*, ſhall have their Lands according to the Engliſh meaſure, *viz.* 16 foot, and an half to the pole, and no greater meaſure.

5. No perſon, or Corporation, who have paid in their moneys according to the ſaid Acts, by way of Rebate, ſhall have any advantage of this Act, unleſs they repay before the ſaid twentieth of *July*, to the ſaid Receivers the ſum, to him, or them formerly Rebated.

Indempnity, *See* Pardon.

Knighthood

Knighthood.

1. STat. 17. *Car.* 1 *cap.* 20. No person of what estate or degree soever, shall be from henceforth distrained, or compelled by Writ, or Processe out of Chancery, or Exchequer, or other ways to receive the order of Knighthood, nor undergo any fine or trouble whatsoever for not receiving, or taking upon him the said Order: And all proceedings contrary to the intent of this Act, shall be void: as well now depending, or hereafter so to be; Any Law or custome to the contrary notwithstanding.

Leases.

STat. 13. *Car.* 2. *cap.* 30. That all Grants by Copy of Court Roll, and Leases, and Licences or setting and assigning Grants and Presentations; And all Elections of Heads, Masters, Fellows, Scholars, Students, and Officers of Colledges, Halls, Churches, and Houses of Learning and Hospitals; into dead or other places, by reason of the late troubles then or since vacant, Receipts and Acquittances of Rents incurred, Entries for forfeitures or conditions broken, had, made or given since the twenty fifth of *March* 1642, and before the twenty fifth of *July* 1660, by any such Masters, Provosts, Presidents, Wardens, Governors, Rectors, Principals, and other heads *de facto* of any Colledge, Hall, or House of Learning, and Fellows and Schollars *de facto* of the same respectively, in either the Universities of *Oxford* or

or *Cambridge*; or Deans and Canons, or Prebends, *de facto* of *Christ-church* in *Oxford*, or Master, Provost or Warden, and Fellows *de facto* of the Colledges of *Eaton*, or *Winchester*, or by such Master, Warden, or Governours, *de facto*, or Master, Warden or Governours, Brethren, Brothers, or Sisters *de facto* of any Hospital, by whatsoever particular name or style of Foundation the said Colledges, Church, Hospitals, Masters, Governours, Fellows, Deans and Canons, or Prebends are styled, founded, known or incorporated, and all Leases granted by the Master, Warden, Brethren, Brothers or Sisters of any Hospitals of the Patronage of any Bishop, Dean, or Dean and Chapter, and all Surrenders to them made, to inable such Leases, Grants, and Presentations, shall stand and be of the same and no other force and effect, as if the said Masters, Provosts, *&c.* had been such *de jure*, and duely and *de jurie* entituled in and to the said Colledges, Halls, *&c.* or places respectively, and as if such Leases granted by the Master and Brethren of any Hospital of the Patronage of any Bishop, Dean and Chapter, had been confirmed by the Bishop, Dean, or Chapter: And that notwithstanding any defects in the said Lessors and Grantors, and notwithstanding the restitution of any ejected person, the Rents, Covenants and Conditions in such Leases and Grants shall go in succession, as if such Lessors or Grantors had been *de jure* Masters, *&c.* any former Law, Custome or Statute to the contrary notwithstanding.

2. That nothing in this Act extend to the confirming

firming or making good of any Lease or Leases of any parcel or parcels of Lands, Tenements, Pastures, Houses, Orchards, Gardens, or Barns, or any of the possessions of or belonging to the Hospitals of St. *John Baptist*, and the Evangelist in the Town of *Northampton*, made between the 1 of *Sept.* 1655, and the 25 of *July* 1658, by the pretended Mr. *George Goodman*, and his Co-Brethrn of the aforesaid Hospital.

3. That this Act shall not make good in Law or Equity any Lease or Leases made by *Simon Moore* Clerk, late Master, or pretended Master of the Hospital of St. *Oswald* in the County of *Worcester*, of any the Lands, Tenements, and Hereditaments, of or belonging to the said Hospital to *Richard Moore*, his Son, or to any of the children or Grand-children of the said *Simon Moore*, or to any in trust, or for the use or uses of the said *Simon*, his Wife Children or Grand-children, or any or either of them.

4. That no person shall be confirmed in any Mastership, Provostship, Headship, Fellowship, or Chaplains place in any Colledge or Hall in either of the Universities, or in the Colledges of *Eaton* and *Winchester*, that is not ordained Minister by Bishops or Presbyters, (or being ordained, hath since renounced his ordination;) whereby the Local Statutes of the said respective Colledges or Halls ordination is required.

5. That this Act shall not confirm any Lease or Leases of the Rectories and Parsonages of *Randall* and *Littlecoates* in the County of *Lincoln*, which have long since been in the tenure

or

or Occupation of *John* Lord *Culpeper*, but that the said *John* Lord *Culpeper*, his Executors, or Administrators, reimbursing the new Tenant or Lessee so much money as hath been really paid for the Fine for such Lease, they shall be admitted to renew the said Lease for the said Fine.

6. That *Thomas Clifton* now of *Litham* in the County of *Lancaster*, Esq; his Executors, and Administrators (paying the several and respective Rents reserved unto the College of *Christ-church* in *Oxon*; And securing unto *John Arthur*, *Thomas Bromfield*, and *Laurence Marsh*, of the Survivors or Survivor of them, or the Executors or Executor of the Survivor of them, who have certain Tythes and Lands parcel of the Manour and Parsonage of *Kirkham* in the County of *Lancaster*, leased unto them from Doctor *Owen*, reputed Dean, and the Chapter of the Cathedral Church of Christ in *Oxon*, for the uses in the said Lease expressed, out of the premisses, the yearly sum of 400 *l.* to be paid half yearly by equal portions for 21 years next ensuing: And reimbursing unto several other Lessees or their Assignes, of many other parts and portions of the said Parsonage of *Kirkham*, so much money as was by them truely paid for their respective Fines:) All which demised Premisses had long been in the tenure or occupation of the said *Thomas Clifton*, and his Ancestors for several terms of years yet unexpired, shall have and enjoy the same for the residue of the said several termes of years yet to come.

7. Provided,

7. Provided, That this Act shall not confirm the Election of any Head, Fellow, Scholar, or Chaplain of any Colledge or Hall in either the Universities, that upon any other grounds besides the want of Episcopal ordination, is or was not capable of being elected into such place or places by the Statutes of the said Colledge or Hall, unto which he or they were chosen.

8. That this Act shall not prejudice the Title of any person or persons, who by Letters Patents under the Great Seal, hath obtained from his Majesty since the first of *May*, and before the twenty sixth of *August* 1660, any Grant of any Deanary, Headship of any house, Rectorship of any Colledge, Canons place, Prebendary, Fellowship, or Scholarship, within either of the Universities or the Colledges of *Eaton*, *Westminster*, or *Winchester*.

9. That this Act shall not confirm any Lease or Estate made by *John Tombs* Clerk, of any Lands, Tenements, or hereditaments, belonging to the Hospital of St. *Katharines* in *Ledbury* in the County of *Hereford*, to any of his Children, or to any other in trust for him, them or any of them.

10. Nor make good any Lease made by *William Lenthall* pretended Warden of the House of Converts, belonging to the Master of Rolls, since the thirtieth of *January* 1642, of any Houses or Tenements thereto belonging, to the prejudice of *John* Lord *Culpeper*, his Successors, Lessees, or Assignes, the said Lord *Culpeper*, reinbursing unto the said Lessees such

such moneys as have been paid with interest for the same, discounting for the mean profits thereof.

11. Nor to confirm *William Hooke* in the Mastership of the *Savoy*, nor to make good any Lease of any Lands, &c. belonging thereto, made between the thirtieth of *January* 1648, and the first of *June* 1660, the Master of the said Hospital for the time being, allowing to all such Lessees, all such sums of money as they paid to the then Master by way of Fine, at the time of making such Lease, and interest for the same: The said Lessees discounting for the mean profits of the same.

12. Nor to confirm any Lease or grant made, or mentioned to be made to any person by *John Owen* late Dean, and others, Canons or pretended Dean and Canons of the College of *Christ-church* in *Oxon*, or by any of them, of any the Rectories, Tithes, or Gleablands of *Hampton*, *Wichenford*, *Badsey*, *Aldington*, *Offenham*, *South-Littleton*, *North-Littleton*, and *Middle-Littleton* in *Worcester-shire*, heretofore the Possessions of *Henry* late Marquis of *Worcester* and Dame *Anne* his Wife, or either of them, dispossessed for Loyalty to his Majesty; But that the Executor or Administrator of the said *Henry*, shall be admitted to renew the Leases of the said Tithes, reimbursing to such person all sums of money paid for the said Lease or Leases by way of Fine, with interest for the same, the said person or persons discounting to the said Executors or Administrators, for the mean profits received thereupon.

13. Nor

13. Nor to confirm any Lease, Estate, &c. made by any pretended Dean and Chapter, Mr. or Head of any Colledge in either of the Universities or of any Hospital; which said lease &c. had not been good in Law, had they been made by a lawful Dean and Chapter, &c. nor to make good any Lease or Leases of the Rectory or Parsonage of *Arrington* in the County of *Cambridge*, nor of the Rectory or Parsonage of *Soham* in the said County, but that *Thomas Chicheley* (paying and reimbursing the several Tenants, &c. the several sums of money paid for Fines, with interest; discounting such Rents and profits as by them have been taken out of the premisses shall be restored to his said ancient possessions, and that *Trinity Colledge*, and *Trinity Hall* in *Cambridge* respectively, shall be enabled to Lease the said several Rectories and Parsonages, &c. unto the said *Tho. Chicheley*, any thing to the contrary notwithstanding.

15. Lastly, provided that this Act shall not extend to restore any person to any Headship, Fellowship, or Schollarship of any Colledge or Hall, or to any Chaplains or Clerks-place in any Colledge or Hall in the Universities, or to any Lecturer or Readers place, that is or shall before the 1 of *Jan.* 1660, ejected out of their respective Headship, &c. or out of any Lecture in the said Universities by his Majesties Commissioners under the Great Seal, for not having been legally and according to the several Statutes of the said places nominated, elected, or admitted in or to the same, any thing in this Act to the contrary notwithstanding.

Statute

Statute 12. Car. 2. cap. 35. That the Master of the Rolls for the time being, and his Successors, Masters of the Rolls, shall have good right, full power, and lawful authority, during the time he or they shall continue Master of the Rolls, by writing indented under hand and seal, to grant and make Leases for One and forty years, or for any lesser terme, to commence from the making of any such Leases, of all and singular the Houses, Mansions, Grounds or Tenements, with the appurtenances belonging to the Master of the Rolls, as Master of the Rolls, or any part thereof; The Chappel of the Rolls, with a convenient Mansion House, Court, Yard, Garden, Stable, Coach-house, and other Out-houses and buildings fit for the use and Habitation of the Master of the Rolls onely excepted, which Lease, &c. shall be as good and effectual in Law, as if the Master of the Rolls had been seized of the Premisses of a good Estate in Fee-simple.

2. That in Leases where provision is made for new building of Houses or Tenements, the yearly rent of 20 s. at the least shall be reserved upon every Lease of such a quantity of the premisses as shall be set out and assigned by the Master of the Rolls for the time being, for any one House to be built upon; And in Leases where there is no provision for the new Building, the like Rent that hath been paid for the greatest part of seven years last past or more, shall be yearly reserved.

3. That no Master of the Rolls for the time being, after the premisses have been once letten

letten, ſhall grant or make any new or concurrent Leaſe, until within ſeven years of the expiration of the Leaſe then in being, nor for any leſſer Rent then was reſerved upon the former Leaſe, nor for above one twenty years from the making of ſuch new Leaſe.

Miniſters.

1. **Stat.** 17. *Car.* 1. *cap.* 27. That no Archbiſhop or Biſhop, or other perſon that now is, or hereafter ſhall be in Holy Orders, ſhall at any time after the 25th of *Feb.* 1641, have any ſeat or place, ſuffrage or voice, or uſe or execute any Power or Authority in the Parliaments of his Realm, nor ſhall be of the Privy Council of His Majeſty, his Heirs or Succeſſors, or Juſtice of the Peace of *Oyer* and *Terminer*, or Goal-delivery, or execute any temporal Authority by vertue of any Commiſſion; but ſhall be wholly diſabled, and be uncapable to have, receive, uſe or execute any of the ſaid Offices, Places, powers, Authorities and things aforeſaid,

2. That all Acts from and after the ſaid 15th day of *Feb.* which ſhall be done or executed by any Arch-biſhop or Biſhop, or other perſon whatſoever in Holy Orders, and all and every ſuffrage and voice given or deſiveed by them or any of them, or other thing done by them or any of them, contrary to the purport and true meaning of this Act, ſhall be utterly void to all intents, conſtructions and purpoſes.

1. **Stat.** 12. *Car.* 2. *c.* 14. Every Miniſter ordained

dained before the 25th. of *December* last, of the age of 24. years, having not renounced his ordination, who having been since the first of *January* 1642 presented, and in actual possession of any Ecclesiastical Promotion with cure within *England*, *Wales*, or *Barwicke*, which avoided by death, resignation, surrender or otherwise, to the Patron, or other pretending Title to accept of Resignations, since the said first of *Jan.* and before the said 25. of *Decemb.* and then in possession, being in the Kings Gift, Donation, Presentation, Collation, or Nomination, or of his Royal Father in right of the Crown, or any other Title, or of any Archbishop, Bishop, &c. Corporation or any other, other then such as are hereby restored, shall be adjudged a lawful incumbent to all intents and purposes, as if he had been presented, collated, admitted, &c. in due form of Law, and had read and subscribed the Articles according to the Statute, and notwithstanding any thing by him done, or omitted to be done, against all persons whatsoever: Saving to the Patrons their Right upon the next avoydance thereof.

2. Every Resignation by any Incumbent to the Patron, or any late pretended Powers since the said first of *Jan.* shall be adjudged an effectual avoydance, as if made to a competent Ordinary: But no Presentation, Collation or Disposition as aforesaid, nor confirmation thereby of any Minister, shall amount to any Usurpation, to the prejudice of the respective Patrons.

3. Every Minister formerly ejected, which hath not by writing, preaching, printing, or other

other open act, juſtified, or acted in the murder of the late King, or in ſuch manner declared his judgment to be againſt Infant-baptiſm, ſhall be reſtored at or before the 25. of *Decem.* next; and the perſon to be removed ſhall enjoy all the profits until that day, and ſhal then peaceably yeild up the poſſeſſion thereof, and ſhall give Bond to the perſon to be reſtored, for the moity of ſuch profits, or the value thereof, (to be aſcertained by the Commiſſioners therein appointed under their hands) from *Michaelmas* laſt to *Michaelmas* next (all incident charges to be deducted) of the Tithes or profits upon the ſaid 25. day: And the Miniſter ſo doing, and quitting the poſſeſſion, ſhal be acquitted againſt the Miniſter reſtored, his Executors, *&c.* and all others whatſoever.

4. Every Miniſter not inſufficient, being proved as aforeſaid, formerly ſequeſtred of two or more Livings, with Cure, ſhall be reſtored to one of them at his election, except he hath reſigned any of them, and the Patron preſented another, then no reſtitution to be made to him.

5. Every Miniſter hereby confirmed, which hath more than one Benefice, ſhall enjoy only one at his election: except he hath reſigned any of them, and the Patron preſented another, then the Miniſter may retain the Living not reſigned: And if the perſon ejected, declare his conſent in writing before the Commiſſioners, that the preſent poſſeſſor not being inſufficient, ſhall continue in ſuch living, then ſuch poſſeſſor is declared rightful Incumbent.

6. Every Miniſter ſo to be removed ſhall

pay all Tenths not pardoned, and ſatisfie for Dilapidations ſince the twenty ninth of *Sept.* laſt; And pay all fifths, or Money in lieu thereof, arrear of any Committees or Commiſſioners formerly appointed by any pretended Authority of *Michaelmas* laſt, by any order not reverſed, or pay all arrears of money due by agreement of the parties, and not quitted by like agreement, to be aſcertained by the Commiſſioners, and before removal to give his penal Bond to the Miniſter reſtored to pay the ſame before the twenty fifth of *December* next: And upon refuſal ſo to do, the other Miniſter ſo to be reſtored may bring Debt for the ſame, and recover it, and alſo the full value in Damages beſides Coſts of Suite.

7. Every Miniſter ſetled to continue by this Act, ſhall pay all arrears of fifths or moneys in lieu thereof due by him as aforeſaid: or to Mr. *Honiwood* parſon of *Kegworth* in *Leiceſterſhire*, who was beyond Seas ſince the ſaid firſt of *Jan.* and hath had no order, nor agreement for his fifths due out of ſuch living, during the time he hath poſſeſſed the ſame, to ſuch perſon as hath been ejected.

8. Every Miniſter living, or his Executors, to whom any fifths are due by ſuch order, or agreement, or to the ſaid Mr. *Honiwood*, and ſtill arrear, ſhall have the ſame paid unto them, or may recover the ſame by action of debt againſt ſuch Miniſter who ought to have paid the ſame, or to *Mr. Honiwood* during the poſſeſſion of ſuch living, for which the ſame ought to have been paid; in which action no

Eſſoine,

Eſſoine, *&c.* And no perſon to whom fifths have been paid, ſhall be hereafter queſtioned for the ſame.

9. Every Miniſter hereby to be removed, or confirmed, his Executors, *&c.* may hold the mean profits already received, and recover, or compound for all arrears or Tithes, or duties, due during the time of his poſſeſſion, and before or until *Michaelmas* next, and may ſue for the ſame in Court of Law, or Equity, as if he were lawful Incumbent. Provided, if any Miniſter who is hereby declared to continue Incumbent, and hath juſtified, or acted in the murder of the late King, as aforeſaid, or expreſſed his Iudgment againſt Infant-Baptiſm, then ſuch Living ſhall be void, as if he were dead, and the Patron may preſent thereunto.

10. Such Iuſtices of Peace in their reſpective Counties, as were on the firſt of *September* 1660, or any five or more of them next to the Church to which any perſon is to be reſtored, and not Patrons or parties in the Tithes thereof, are appointed Commiſſioners in the premiſſes: And to determine all differences touching the ſame, until the twenty fifth of *December* next: And all Suits and Actions in Law or Equity touching the ſame, are hereby annulled, and avoided.

11. Provided, all Grants for valuable conſideration, of any Copy-hold, or Freehold belonging to any Sequeſtred Living (except the Glebe and Tithes) for three lives, or twenty one years as formerly, the old rent being reſerved, made by any Miniſter before

the twenty fifth of *December* 1659, ſhall ſtand good againſt the Incumbent to be reſtored.

12. If any Patron preſented his Clerk to the Commiſſioners for Approbation, or the Committee for plundered Miniſters who ſate 1659, who was refuſed without lawful cauſe, ſuch Clerk is hereby declared perſect Incumbent, unleſs ſuch Patron ſince preſented another who is poſſeſſed thereof, or unleſs ſuch Clerk be ſince ſetled in ſome other Benefice.

13. This Act ſhall not confirm or continue any Miniſter, who ſince the ſaid 25 of *December* laſt, voluntarily yeilded up his poſſeſſion, and is ſtill out of poſſeſſion, or hath by writing under his hand and ſeal agreed to leave the poſſeſſion of any Eccleſiaſtical living: And if Agreement hath been between the parties concerned in this Act for acquittal of the Miniſter, who ought to have paid fifths, then no fifths or ſatisfaction for them ſhall be paid contrary to ſuch Agreement.

14. All perſons who have paid by compoſitions or otherwiſe, any Tithes, or other Eccleſiaſtical duties belonging to any Rectory, Vicaridge, or other Eccleſiaſtical Benefice or Promotion to any perſon in poſſeſſion, by colour of any Authority, their Aſſignes, or others claiming under them, are hereby diſcharged thereof againſt all perſons whatſoever.

15. The Rectory of *Ewelme* is reſtored to Dr. *Robert Saunderſon* Regious Profeſſor in *Oxford*, and his Succeſſors, according to a grant made by the late King *James* in that behalf: In like manner the Rectory of *Somerſham* is reſtored to Dr. *Anthony Tuckney* Regius Profeſſor

fessor in *Cambridge*, and to his Successors, according to a former Grant thereof made.

16. All Ministers hereby to be confirmed or restored, are to take the oaths of Allegiance and Supremacy to be tendred to them by the said Commissioners, or any three of them, who are enjoyned to administer the same.

17. This Act shall not prejudice the Title of any person, who have, or shall be presented to any Benefice by the King under the Great Seal, between the first of *May*, and the ninth of *September*, 1660. but that such Presentees may from the twenty ninth of the said *September*, enjoy the same; Nevertheless such persons as upon the twenty fifth of *December* 1659. were in possession, shall not be charged by such Presentees for any profits by them received before the said twenty ninth of *September*, but shall hold the same until the said twenty ninth of *September*.

18. The Vicaridge of *Kidlington* is annexed to the Rectorship of of *Exceter* Colledge as formerly it was. The like for the Rectory of *Garsington* annexed as formerly to the Presidentship of *Trinity* Colledge in *Oxford*. So for the Rectory of *Castor* to the Bishoprick of *Peterborough*, and the Vicaridge of *Caister* to the Bishoprick of *Oxford*.

19. This Act shall not extend to confirm any in a Living, that hath printed any Treatise, or preached against the King or his Right to the Crowns of these Realms: So it be proved by two witnesses upon oath before the said Commissioners, and so adjudged by them before the twenty fifth of *December* 1660.

20. If any Minister hereby to be removed, shall refuse to give possession according to Order, the Commissioners, or any five of them may grant their warrant to the Sheriff to do the same: and in default of such Warrant, the Sheriff is enabled, and required to give possession accordingly.

21. This Act confirmeth not any Ecclesiastical person who appeared in arms, in opposition to the restoring of the K. and a free Parliament, since the first of *August* 1659, so as it be proved by the oaths of two witnesses before the said Commissioners, and adjudged so by them before the 25th of *December* 1660.

22. The Rectory of *Allon* in *Middlesex*, granted by the King before the twenty sixth of *August*, under his sign Manual to one of his Chaplains, shall stand good and effectual.

23. All the Peers of this Realm, according to their Interests, may within 6 Kalender months from the first of *Sept.* 1660, present and nominate their Clerks unto any Livings of their Patronages, or whereunto they had right since the first of *January* 1642, who shall be accompted perfect Incumbents thereof, as if they had been presented within six months next after the first avoidances; Notwithstanding any Lapse, or Title devolved to the late K. or that now is, or to any other person whatsoever.

24. That persons which have been or shall be presented by the King as aforesaid, before the said ninth of *September* 1660, by Lapse, or otherwise, as aforesaid, may enjoy such Promotions respectively, the last mentioned Clause or, or any thing in this Act con-

contained to the contrary notwithſtanding.

Mariages.

1. Stat. 12. car. 2. c. 32. That all Mariages had or ſolemnized ſince the firſt of *May* 1642, before any Iuſtice of Peace or reputed Iuſtice of Peace, of and within *England* or *Wales*, or other his Majeſties Dominions, and by ſuch Iuſtice or reputed Iuſtice, ſo pronounced or declared.

2. And all Mariages ſince the ſame firſt day of *May* 1642, had or ſolemnized according to to the direction or true intent of any Act or Ordinance or reputed act or Ordinance of one or both Houſes of parliament, or of any convention ſitting at *Weſtminſter* under the Name, Stile or Title of a parliament, ſhall be, and ſhall be adjudged and taken to be, and to have been, of the ſame and no other force and effect, as if ſuch Mariages had been had and ſolemnized according to the Rites and Ceremonies eſtabliſhed or uſed in the Church or Kingdome of *England*; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

3. That wherein any ſuite commenced or to be commenced in any of the Courts of the common Law any iſſue hath been joined, and not already tryed or determined, or ſhall be joyned upon the point of Baſtardy, or lawfulneſs of Mariage, had and ſolemnized as aforeſaid, the ſame iſſues ſhall be tryed by a Iury of 12 men, according to the courſe of Tryal of other iſſues tryable by Iury at the common Law, and not otherwiſe.

1. Stat. 17. *Car. prim. c.* 19. There shall be one Weight, one Measure, and one Yard, according to the Standard of the Exchequer throughout the Realm, as well in places priviledged, as without: and every Measure of Corn shall be striked without heap.

2. Whosoever shall sell by, or keep any other Weight, Measure, or Yard, whereby any thing is bought, or sold, after 6 Months after this Session of Parliament, shall forfeit 5 s, being thereof lawfully convicted by the Oath of one Witness before a Iustice of Peace, Mayor, or other head Officer (in their respective precincts) who are impowred to administer an Oath in that behalf; which penalty shall be levied by the Church-wardens and Overseers of the poor, or some of them, where the offence is committed, to the use of the poor, by distress, and sale of goods, rendring the overplus to the Offendor; and if no distress, the Iustice, Mayor, or head Officer may commit the Offendor to Prison, until such forfeiture be paid.

3. The Clerk of the Market of the King, or Princes houshold, and their deputies respectively, shall execute their Offices within the Verge, and not elsewhere: And head Officers of Corporations, and Lords of liberties, and their Agents may execute theirs in their several Precincts, as they might have done before the making of this Act.

4. If any of the Officers moveſaid, shall seal any Weight, or Measure, which is not agreeable to the said Standard, or refuse to seal those that are agreeable to it (the party paying such fees only for the allowance there-

of

of as are warranted by Statute, or ancient Custom) they and their Deputies shall respectively forfeit for such offence, 5 l. to be levied as aboveſaid, to the uſe of the poor of the place.

5. If they shall take any other fees, reward, or ſum of money, then what are allowed by Statute or Custom, for the ſigning or examination of any Weights or Meaſures, which have been formerly marked or ſealed, or impoſe any fine, or amercement without a legal trial of the offence, or otherwiſe miſdemean themſelves in the execution of their Office, and ſhall be thereof lawfully convicted, they ſhall forfeit for the firſt offence 5 l. for the ſecond 10 l. and for every other offence 20 l. to be levied as aboveſaid, to the uſe of the poor, where the offence was committed.

6. Whoſoever ſhall be fin'd or amerc'd by this Act, ſhall not be puniſhed again for the ſame offence by vertue of any former Law or Statute.

7. This Act ſhall not extend to Rents upon Leaſes, or other Agreements, nor to Watermeaſure, meaſure in any Ports, or Maritime Towns.

8. If any Officer authorized by this Statute for the execution thereof, be impleaded for any Act he ſhall do therein, he may plead the general Iſſue, Not guilty, and give this Act in evidence, or any other ſpecial matter: And if he be found not guilty, or the Plaintiff be non-ſuited, he ſhall recover triple coſts.

Navigation, See Shipping.

Orders Holy, See Miniſters.

1. STat. 16. Car. cap. 1. Reciting that by the Statutes of this Realm, a Parliament ought to be holden once every year, but the time and place belongeth to his Majesty and his Progenitors: Provided, that the said Statutes be henceforth duly observed; and that if a Parliament be not summoned and held before the 10. of *Septemb.* in the third year after the last day of the sitting, proroguing or adjourning of this or any other Parliament hereafter, then the Lord Chancellour, Keeper, Commissioner or Commissioners of the great Seal, shall without any Warrant from the King, his Heirs or Successors, within six days after the 10. of *Septemb.* issue out the respective Writs for the assembling of a Parliament at *Westminster* upon the second Monday in *Novemb.* then next following, and shall for that purpose respectively take this Oath ensuing.

2. You shall swear, that you shall truly and faithfully issue forth and send abroad all Writs of Summons to Parliament for both Houses, at such time and in such manner as is expressed and enjoined by an Act of Parliament, entituled, *An Act for the preventing of inconveniencies happening by the long intermission of Parliaments.*

3. The said Chancellour, Keeper, Commissioner or Commissioners shall not execute that Office before they have taken the said Oath, upon pain (besides Perjury) to be disabled *ipso facto* from bearing that Office, and to be punished by the next, or any other ensuing Parliament.

4. If

4. If those Officers fail to summon the Parliament, the Peers, or any twelve or more of them (assembling in the *old* palace at *Westminster*, at the usual place there, upon the third Monday of *Novemb.* aforesaid) shall without further Warrant on or before the last Monday in *Nov.* next ensuing the said tenth of *Sept.* issue out Writs in like manner for summoning a Parliament to be held the third Monday in *January* next following, and the Clerks of the Petty Bagg, *&c.* shall for that purpose make Writs ready for the Signatures of the said Peers, upon pain to lose their Offices, and to be further punished by any ensuing Parliament: All Messengers likewise appointed by the said Peers are speedily to deliver such Writs upon pain of like punishment.

5. The Peers shall assemble on the said third Monday in *January*, in such manner as if they had received Writs under the great Seal; And if the Lords issue not out such Writs, or the Writs be not duly executed, so that a Parliament be not held before the 23. of *January*, then it is to be holden upon the second Tuesday in *March*, where the Lords must then assemble, upon pain to be liable to such Censures as if a Summons had been under the great Seal, and as they shall be further adjudged unto by the rest of the Peers in Parliament: And the Sheriffes of the Counties, Cities and Burroughs, and the Chancellors, Masters and Fellows of the Universities, and the Mayor and Bailiffs of *Berwick* shall at their Courts next after the 23.

of

of Jan. by ten of the clock in the morning proceed to Elections: And the Sheriffs of Counties, the Constable of *Dover* Castle, and the Warden of the Cinque-ports shall after the 23. of *Jan.* and before the 8. of *Febr.* issue out Warrants for that purpose, and make their Elections before the last of *Febr.* And in case they shall fail herein, then the Freeholders and others who have voyces in such Elections do the same, and also make returns thereof, if the Sheriffs or other Officers shall refuse or neglect to perform it.

6. If any presume to execute any Proclamation, or Inhibition, whereby the execution of this Act may be impeded, he shall incur a *Præmunire*: and every Sheriff, Constable of *Dover*, or Warden of the Cinque-ports, neglecting his duty herein, shall forfeit 1000*l.* and every County, City, Cinque-port, and Burrough failing, shall forfeit, viz. a County 1000*l.* and City which is no County 200*l.* and every Cinque port and Burrough 100*l.*

7. The forfeitures abovementioned are to be recovered by Action of Debt, Bill, *&c.* in any Court at *Westminster* in the name of the Mayor of *London*, without naming his Christian or Sirnames, and therein no Essoin, Protection, Order of Restraint or Injunction, &c. shall be allowed, but only one Imparlance: And if any person after notice shall hinder the proceeding or execution thereof, save only in the Court where such Action shall be brought, or by error or attaint, such person shall incur a *Præmunire*: And such Action shall not abate nor discontinue by the death of the

Lord

Lord Mayor, but his Successors may proceed therein.

8. The fifth part of the said forfeitures shall be to the use of the said City, the residue shall be disposed by the House of Commons.

9. Nevertheless, if any Election made by the Freeholders, Citizens, *&c.* shall be adjudged voyd by the House of Commons, yet they shall not incur any penalty, so as an Election *de facto* be made.

10. No Parliament shall be dissolved or prorogued within 50 dayes after the first Meeting, without consent of the King and both Houses: Either of the Houses shall not be adjourned within the said 50 days, without their respective free consents: And either House shall choose their Speaker respectively, and enjoy their Priviledges without taking the Oaths of Supremacy and Allegiance, unless the King require them to be taken; and then upon refusal shall suffer such pains as if he had sitten without Election, or Return.

11. This Act to be read at every General Sessions after the Epiphany, and every Assises next ensuing by the Clerk of the Peace, and of Assises respectively, upon pain of 100 *l.* All Acts which are to continue unto the end of this Session, shall continue until it be ended: and if it end by dissolution, then all Acts aforesaid shall be continued until the end of the first Session of the next Parliament.

3. West. 12. Car. 2. cap. 1. The Parliament begun and holden at *Westminster* the third of *November*, in the sixteenth year of the late King

Charles

Charles, is fully diſſolved: And that the Lords and Commons now ſitting at *Weſtminſter* in this preſent Parliament, are the two Houſes of Parliament, and ſo are declared to all intents, notwithſtanding any want of the Kings Writ of Summons, or other defect whatſoever; as if it had been ſummoned by Writ in the Kings Name as formerly, and as if his Majeſty had been preſent in perſon at the Commencement thereof: Provided, the King may diſſolve it as heretofore, and as if it had been ſummoned by Writ in his Name: Provided alſo, that his Royal Aſſent to this Bill ſhall not determine this preſent Seſſion.

Proceſs and Judicial Proceedings, *See* Continuance,

Privy Councils, *See* Courts.

Poſt-Office.

1. **Stat.** 12. *Car.* 2. *c.* 34. There ſhall be from henceforth one general Letter-Office in *London*, from whence all Letters may be ſent thorough *England*, *Scotland* and *Ireland*, or other the Kings Dominions, or into Countries beyond Seas; at which Office all Anſwers may be alſo received: and the Maſter of ſuch Office ſhal be from time to time appointed by the K. his

his Heirs, &c. by Letters Patents under the great Seal, and called His Majesties Post-master general, and he and his Agents onely shal have the receiving, ordering, dispatching, sending Post on with speed, and delivering of all Letters and Pacquets whatsoever, which shal be sent from time to time to and from all places abovementioned, where he shal settle Posts or running Messengers for that purpose: Except such as shal be sent by Coaches, Carriers, Carts, Wagons or Pack-horses, and shall be carried along with their Carts, &c. and Letters of Merchants sent by Shipping, and Letters sent by any friend in their journey, or by a Messenger purposely: and except Messengers who carry Commissions, Affidavits, Process, &c. issuing out of any Court.

2. Such Post-master as aboveſaid, or by his Substitutes, and no others, shal provide Post-horses for through Posts, and persons riding by commission or without, to and from all the parts of *England*, *Scotland* and *Ireland*; where any Post-roads shal be setled; and the Post-master or his Deputies shal take for portage of Letters, and for Horses, &c. the rates hereafter expressed, and no more, *viz.* for every Letter not exceeding a sheet, for 80. miles, 2. *d.* and not exceeding two sheets, 4. *d.* and for every pacquet proportionably unto the said rates: and for the like Port of every pacquet of Writs, Deeds, or other Things, 8. *d.* for an Ounce weight: for every Letter not exceeding a sheet for above 80 miles, 3. *d.* and not exceeding two sheets, 6. *d.* & proportionably at those rates for all pacquets of Letters; for pacquets

of

of any other things 12. *d.* for every Ounce: and for every Letter not exceeding a sheet, from *London* to *Berwick*, or from thence to *London*, 3. *d.* and not exceeding two sheets, 6. *d.* and proportionably to those rates; for pacquets of Letters, and for pacquets of bigger bulk 18. *d.* for every Ounce: and for Letters and pacquets within 40 *English* miles from *Berwick*, or any other place where such Letter shall be received, 2. *d.* and not exceeding two sheets, 4. *d.* and so proportionably for pacquets of Letters, and for other Pacquets 8. *d.* for every Ounce; and for Letters not exceeding one sheet, further distance 4. *d.* and if a double Letter, 8. *d.* and proportionably so for pacquets of Letters, and for other pacquets 12. *d.* by the Ounce: and for Letters not exceeding one sheet from *England* to *Dublin*, or from *Dublin* to *England*, 6. *d.* and not exceeding two sheets 12. *d.* and so proportionably for pacquets of Letters, and for other pacquets 2 *s.* by the Ounce; and for every Letter not exceeding one sheet within 40 *English* miles from *Dublin*, or any other place where such Letter shall be received, 2. *d.* and not exceeding two sheets, 4. *d.* and so proportionably for pacquets of Letters, and for bigger pacquets 8. *d.* by the Ounce; and if above 40 miles 4. *d.* and not exceeding two sheets 8. *d.* and proportionably so for pacquets of Letters, and for greater parcels, 12. *d.* by the Ounce: and for forraign Letters and pacquets, according to the rates that now are and have been taken, being rated either by the Letter or by the Ounce; That is to say,

Morlaix, St. Maloes, Caen, New-haven,

and

and places of like distance, port paid to Rouen is for Single 6. d. Double 12. d. Treble 18. d. Ounce 1. s. 6. d.

Hamburgh, Cullen, Franckfort, port paid to Antwerp-- Single 8. d. Double 16. d. Treble 2. s. Ounce 2. s.

Venice, Geneva, Legorne, Rome, Naples, Messina, and all other parts of Italy, by way of Venice, Franck *pro* Mantua--Single 9. d. Double 18. d. Treble 2. s. 3. d. Ounce 2. s. 8. d.

Marcelia, Smirna, Constantinople, Aleppo, and all parts of Turky, port paid to Marcelia--Single 1. s. Double 2. s. Treble 2. s. 9. d. Ounce 3. s. 9. d.

Genoa, Legorne, Rome, and other parts of Italy, by way of Lyons, Franck *pro* Lyons-Single 1. s. Double 2. s. Treble 2. s. 9. d. ounce 3. s. 9. d.

And of Letters sent Outwards.

To Bourdeaux, Rochel, Nantz, Orleans, Byon, Towers, and places of like distance, port paid to Paris-- Single 9. d. Double 1. s. 6. d. Treble 2. s. 3. d. Ounce 2. s.

And for Letters brought from the same places into England-- Single 1. s. Double 2. s. Treble 3. s. Ounce 4. s.

Also Letters sent Outwards,

To Norembergh, Bremen, Dantzick, Lubeck, Lipswick, and other places of like distance, post paid to Hamburgh-- Single 1. s. Double 2. s. Treble 3. s. Ounce 4. s.

And for Letters brought from the said places to England- Single 8. d. Double 1. s. 4. d. Treble 2. s. Ounce 2. s.

And

And for the port of letters brought into Eng. from Callais, Diepe, Bulloigne, Abbeville, Amiens, Saint Omers, Montrel--single 4.*d.* Double 8.*d.* Treble 12.*d.* Ounce 12.*d.* Rouen--Single 6.*d.* Double 1.*s.* Treble 1.*s.* 6.*d.* Ounce 1.*s.* 6.*d.* Paris--Single 9 *d.* Double 1.*s.* 6.*d.* Treble 2.*s.* 3.*d.* Ounce 3.*s.* Dunkirk, Oſtend, Lille, Ipre, Courtrey, Gehandr, Bruxels, Bridges, Antwerp, and all other parts of Flanders, Sluys, Flushing, Middleburgh, Amſterdam, Roterdam, Delph, Hagh, and from all other parts of Holland and Zealand--Single 8.*d.* Double 1.*s.* 4.*d.* Treble 2.*s.* Ounce 2.*s.*

3. All Merchants accompts, not above a sheer, Bills of Exchange, Invoices, & Bills of Lading, are allowed without rate in the price of the Letters; and likewise Covers of Letters, not above a fourth part of a sheet, sent to Marseilles, Venice or Legorne, and so to Turky, shall passe without payment: and according to those rates for Letters and Pacquets to or from any places beyond Seas, where Posts have not been, and hereafter may be by the said Post-master his executors or assignes; and such Post-master General, *&c.* may take for each horses hire for every English mile riding post 3.*d.* and 4.*d.* for the gnide for every stage.

4 All Letters and Pacquets that by any Master of a Ship or Vessel, or any of his Company, or passengers, shall be brought to any port-Town, within his Majesties Dominions, other then such letters as are before accepted, or may be sent by Carriers or a friend, as aforesaid, shall by such Master or passenger or other, be forthwith delivered unto the deputy or deputies

ties only of the Post-master general for the said port-Town, and by him or them to be sent to the said General post-office, to be delivered according as directed.

5. No person other then the said Post-master shall carry and recarry Letters for hire, then as before excepted; or imploy any foot-post, horse-post, coach-post, or Pacquet-boat, for conveying any Letters by Sea or land, within the Kings dominions; or maintain horses for thorow-posts or persons riding post, upon pain of 5. *l.* for every such respective offence, and 100. *l.* for every Weeks time as such offender shall transgress therein, to be recoverd as in such cases is usual, one Moiety to the *K.* the other to the informer.

6. If any particular postmaster doth not furnish any riding post with sufficient horses within half an hour after demand, then he may provide himself elsewhere; & such person furnishing, shall not be liable to the penalties herein: But if through default of the post-master general any shal fail in being furnished as aforesaid the post-master general shall forfeit 5. *l.* one Moiety to the King, the other to the Informer.

7. Nothing herein shal hinder the carrying of letters or pacquets from any place to the next Post Road or stage appointed for that purpose.

8. Provided, if the Mail shall be carryed out of *Eng.* beyond Seas in any Ship not English built and navigated with English, then the post-master general shall forfeit 100. *l.* one Moiety to the King, the other to the Informer.

9. No person shall be Post-master general, or relating to that Office, unless he first take the Oaths of Allegiance and Supremacy, before 2. Justices of the Peace of the respective Counties, where, *&c.*

10. Pro-

10. Provided, a Letter or Pacquet Post shall twice-weekly come by the way of *Truro* and *Penrin* to *Marketiew*, alias *Marhasion* in *Cornwall*; and once a week to *Kendall*, by the way *Lancaster*, and to *Penrith* in *Cumberland*, by *Newcastle*, and *Carlisle*; and to the City of *Lincoln*, and *Grimsby* in *Lincolnshire*, notwithstanding this Act.

11. The Post-master general shall continue constant Posts for Letters to places out of the post Roads, as hath been for three years last, at the rates aforesaid, on pain to lose 5 l. for every omission, half to the K. & half to the Informer.

12. The Post-master general and his agents shall from time to time observe such Orders for and concerning the settlement of convenient Posts and Stages upon the several Roads in *England*, and other His Majesties Dominions, and keeping a sufficient number of Horses at the several Stages, *&c.* as the King his Heirs, *&c.* shall from time to time ordain; and the King his Heirs, *&c.* may grant the said Office, and the several Rates abovementioned, with all its emoluments, for life or years, not exceeding 21 years, to such person, and under such covenants and yearly rents to his Majesty his Heirs, *&c.* reserved, as He, his Heirs, *&c.* shall think fit: No person shall seise Horses for the service herein, without consent of the owner. All inland Letters sent by Pacquet-post established by this Act, shall pay the rates aforementioned, at such Stage where they are last delivered, only unless otherwise desired: Letters to and from the Universities may be conveyed as heretofore used, notwithstanding this Act.

Pur-

1. Stat. 12. *cap.* 2. *c.* 23. From henceforth no Moneys or other thing shall be taken rated, or levied for any provision, Carriages, or Purveyance for the King, his Heirs, or Successors, And no person by any Authority under the great Seal, or otherwise, by colour of purveying, for the King, Queen, or any their Children for the time being, or for his, or any of their Houshold, shall take any Timber, Fuel, Cattle, Corn, Grain, Maulr, Hay, Straw, Victual, Cart or carriage, or any other thing, from any Subject, without his full consent first obtained without menace or enforcement; nor shall summon, warn, take, use, or require any Subject to find any Horses, Oxon, or Cattle, Carts, Ploughs, VVains, or other carriages for the use of the King his Heirs, *&c.* of the Queen, or their children, for the carrying their Goods respectively without full and free consent of the owner as aforesaid.

2. No præemption shall be allowed to the King his Heirs, *&c.* or persons abovementioned of the Royal Family, in Market, or out of Market: but it shall for ever hereafter be free for all Subjects to dispose his goods as he listeth, any pretence of making provision of Victual, or carriages as aforesaid, or any pretence of preemption in their behalfs notwithstanding: And if any person shall make any purveyance as abovesaid, or impress any carriages or other things abovementioned by colour of any such Authority as above, contrary to this Act, the Justices of peace, or two or one of them next adjoyning, and the Constables of the places where such shall happen, at the request of the

the party greived, shal commit the party offending to Goal, till the next Sessions, there to be indicted and proceeded against for the same: And the Officers and Inhabitants of the place where such offence happens, shall be assistant therein: and the party greived shall have his Action against the offender, and recover treble dammages, and treble costs: in which Action no Essoign, &c. shall be allowed: And if any person shall (after notice that the Action depending is grounded upon this Act) procure any Action at law, grounded upon this Act, to be delayed before Judgment, by colour of any order, save only of the Court, where such Action depends, or after Judgment had, shall procure execution thereupon to be staid by colour of any such order, except by Writ of error, or attaint, or Order of such Court where the same depends, the person so offending shal incurr the pains ordained by the Act of *Præmunire* made in the 16. year of King *Richard* the Second.

3. This Act shall not prejudice the King in his rights, titles, or duties, out, in, or to, or out of any Tin in the Stannaries of *Devon* and *Cornwall*, nor to prejudice the antient duties of Butlerage and Prizage of Wines; but they are to continue as they were before the making of this Act.

4. That there shall be paid unto the Kings Majesty his Heirs and Successors for ever hereafter, in recompence of Purveyance and Wards and Liveries, the several rates and impositions of Excise particularly mentioned and set down under Title Excise.

See **Wards and Liveries.**

pardon-

Pardon.

1. *Stat.* 12. *Car.* 2. cap. 8. All Treasons, Misprisions of Treasons, Murthers, Felonies, Offences, Crimes, Contempts and Misdemeanors counselled, commanded, acted or done since the first of *January*, 1637. by any persons before the 24th of *June*, 1660 (other then the persons herein by name excepted,) by vertue or colour of any Command, Power, Authority, Commission, Warrant, *&c.* from the late King, or his now Majesty, or from any other persons deriving Authority mediately, or imediately from both or either of them, or from both or either House of Parliament, or or from any reputed Parliament, Keepers of the Liberty of *England*, Protector, chief Magistrate, Commander in Chief by Sea or Land, or by any pretence, Warrant or Command whatsoever from them or any of them, or their or either of their respective Councils or Council, or from any persons whatsoever deriving or pretending to derive authority from them or any of them be pardoned, indempnified, discharged and put in utter Oblivion; (except before excepted.) And all and every person (and persons acting, advising, assisting, abetting and counselling the same, their Heirs, Executors, *&c.* are hereby pardoned indempnified and discharged from the same, and of and from all pains of death and other pains, Judgements, Indict-

ments, Convictions, Attainders & Forfeitures therefore had, and which might accrew for the same, and all Grants thereupon made are declared Null: and all mean profits unreceived by such Grantees are discharged. All persons, Bodies Politick and Corporate, their heirs, executors and successors are restored to their Lands, and Goods, &c. forfeited therefore to his Majesty by reason of any the said offences, and not herein forepriz'ed.

2. All Appeals and personal Actions, Suits and prosecutions whatsoever by reason of any act of Hostility, Trespass, Assault, Imprisonment or breach of the peace, advised, counselled, commanded, acted or done, &c. by reason of the late troubles in his Majesties Dominions, or relating thereunto, and all Judgments and Executions thereupon had before the first of *May*, 1658. are from henceforth discharged: But no restitution of moneys, mean profits, or goods already received upon such Execution, nor any accompt to be given for the same.

3. All demands of arrearages of Rents, and mean profits of Lands heretofore incurred which have been received by vertue or colour of any the said Authorities, or pretences (other then such as shall be otherwise disposed by this present Session) are discharged.

4. All Subjects of *England*, *Ireland*, *Wales* *Jersey*, *Garnsey*, and *Barwick*, and other the Kings Dominions, their Heirs, &c. and all Corporations, Cities, Boroughs, Shires, Towns,

Towns, Villages, and Hundreds, &c. and their ſucceſſors, and every of them are pardoned againſt the King, &c. from Treaſons, miſpriſions of Treaſon, Felonies, Contempts, Offences, Treſpaſſes, Entries, Wrongs, Deceipts, Miſdemeanors, Forfeitures, Penalties and ſums of money, or other matters concerning Tenures and Wardſhips, and arrearages of Rent (other then arrearages of Rents for the Exciſe or Cuſtoms, or other then ſuch arrearages of Rents or mean profits as ſhall be diſpoſed by this Parliament) and from all Arrears of Tenthes, and firſt Fruits, Fines, poſt-Fines, Iſſues, and amerciaments, and all Securities given for them, Concealments of Cuſtoms, and Exciſe, arrearage of Purveiance, and Compoſitions for the ſame, and from all pains of death, Corporal and Pecuniary, and generally from all other things, Cauſes, Quarrels, Suits, &c. (not herein excepted) which may or can be by his Majeſty in any wiſe pardoned unto the 24th of *June*. 1660.

5. All Grants and Patents ſince the 25th of *March*, 1641. touching Wardſhips, or Marriages of any Infant, and all mean profits demandable for the ſame are henceforth diſcharged.

6. This free Pardon, Indemnity and Oblivion ſhall be as effectual to all his ſaid Subjects as aforeſaid, (except all herein excepted) of and for all offences or matters whatſoever, as if they had been particularly and plainly named in their natures and qualities for all things before the ſaid 24th of *June*, 1660. not herein excepted, and may be ſo

pleaded without any fee for entring such Judgments, but only 16 d. to the Clerk for entring the *Plea* or Judgments for the parties discharge in that behalf; and shall be expounded most beneficially in all Courts of his highness or elsewhere for all the said respective persons not herein excepted without any ambiguity, or delay to be objected by the King, his Heirs, or Successors, or by his, or their Council learned, or otherwise.

7. If any Officer or Clerk of any of the Kings Courts make out any Writs, Summons, Process or other precepts whereby any the Subjects aforesaid shall be grieved in their Bodies, or Estates by reason of any thing hereby pardoned; or if any Sheriff, or Escheator, his Deputy or other Officer whatsoever levy, receive, take or withhold any thing hereby pardoned, every such offender being convicted thereof shall yield to the party grieved treble damages, besides costs, and fines to the King &c. And also all such Writs and Process &c. shall be of none effect &c.

8. All Murthers (other then such pardoned in the first Clause) all Piracies (not done in relation to the late Wars) Buggery, Rapes, Ravishment or taking away, or Marrying any Maid, Widow, or Damiel, against her will, and without assent of Parents, or Guardians; and all Abettors and Aiders therein, and all Pleas for Second Marriages the first in force; All Sorceries, and Witchcrafts, and all persons attainted, or convicted

of

of any the said excepted offences; and all accompts of any person appointed by any Authority or pretended Authority aforesaid, to be Treasurer, Receiver, Farmer, or Collector (other then sub-collectors of Parishes, &c. for Receipts before the 24th of *June*, 1659.) who have Collected any Subsidy, Custom, Tonnage and Poundage, Prize Goods, Assessment, Sequestration, Excise, or of any Revenues, of the late King, Queen, Prince, or King that now is, or belonging unto the late Archbishopricks, &c. And other Officers belonging to any Cathedral, or Collegiate Church, Popish Recusant convict, or of persons sequestred for Recusancy, or other sequestred Estates Collected by them, or paid unto them since the 30th of *January*, 1642. and of all Moneys and other duties due upon the sale, or disposition of them, or any of them.

9. Provided the Heirs, Executors, &c. or Tenants of any Accomptant excepted and deceased, shall not be liable for the matters herein mentioned, except for such moneys as remain due upon their accompts already stated, and not paid in; And no Accomptant now living shall accompt for any Moneys disburst, or discharged by any Order, or Ordinance of both or either House of Parliament, or of any Assembly so reputed, or of *Oliver* or *Richard* styled, or obeyed as Protector, or by others acting under them.

10. No person shall be charged for Fees, or Salaries received, and then allowed; or for Moneys disbursed upon any publick use, or

pretence by any Authority or pretended Authority aforesaid. No Commissioned Officer of the Armies, or Navies, Souldier, or Mariner, who before the 25th of *March*, 1659. hath received any moneys for his own pay or for others, or touching Garisons under his Command, or for reward, shall be accomptable therefore.

11. No person shall be accomptable for any thing in this Exception after the 24th of *June*, 1662. And if any person accomptable since the first of *Jan.* 1641. and before 30th of *Jan.* 1648. have been robbed of plundered by Souldiers, or others, of the moneys in their hands or of any notes or books of receipts or acquittances touching the payment or discharge, such parties Oath shall be a discharge for so much. And such Oath between 1642. and 1648. of what they have paied to a publick use, or according to any pretended Order, shall be a discharge *pro Tanto*: And except all first Fruits, and Tenths in the hands of any receiver, not having disbursed, as in the last Exception is expressed.

12. Provided all Judgement of discharge, or *Quietus est*, given upon any accompt in the *Exchequer* since 1648. be allowed: Except all accompts of the Revennes of Churches and Vicariges in *Wales*, and *Monmouthshire*, and Judgements of discharge or *quietus est* thereupon had; And except all Briberies, Perjuries, and Subornation of perjury or witnesses, and also Forgery of Deeds Debentures, Bills of publick faith, Escripts, Wills,

Wills, or Writings whatſoever, or of Examinations of Witneſſes whereby to endanger any mans Life, Liberty, or Eſtate, and the giving the ſame in Evidence, and the counſelling, or procuring of any ſuch counterfeiting, or forging. And alſo excepted all offences in deteining, imbezling of any Goods, Money, Chattels, or Jewels, of the late King, Queen, or Prince, or their Children, or other then Shipping, and Ammunitions of War, and other ſuch Goods, and Chattells as have been ſold or diſpoſed of to any Servants, or creditors of his late Majeſty, for payment of their Debts, or Wages.

13. And except all Iſſues, Fines, and Amerceements, Rents and other publick Duties levyed or collected by any Sheriff, *&c.* or other Officer for the uſe of the late King aforeſaid, Authorities or pretended Authorities reſpectively, or for his *Majeſty* that now is, and not accompted for, and diſcharged.

14. And alſo except all offences done by any Jeſuit Seminary or Romiſh Prieſt, contrary to the 27th of *Eliz.* or any part thereof; and all Outlawries, Proceedings, Judgments, and Executions for the ſame offences or any of them.

15. It ſhall be lawful for every *Clerk* and other officers of the Courts at *Weſtminſter* to award and make Writs of Capias Utlagatum at the Suit of the Plantiff, againſt ſuch perſons outlawed as be pardoned by this Act to compel the defendant to anſwer to the plantiff at whoſe ſuite he was out-

lawed: And every person so outlawed shall sue a *Scire facias* against the parties at whose suit he was so outlawed, before this pardon shall be allowed. This pardon shall not extend to pardon any Outlawries upon a *Capias ad satisfaciendum* until the party outlawed shall pay or agree with the plaintiff.

16 Excepted also all Informations; and other proceedings depending touching Highways, or Bridges, and all Issues thereupon returned, since the 30th *January*, 1648. Except also all recognizances, and Securities entred into since the 24th of *Mar.* 1640. by any Receiver, Bayliff &c in the *Exchequer*, and their Sureties, and their accounts respectively.

17. This Act shall not extend to pardon or discharge any Recognizance, or Bond not yet forfeited.

18. All Acts of Hostility and injuries whether between the late King & the Lords and Comons in Parliament or betweene any of the people of this Nation which did arise upon any action, attempt, assistance Council or advice having relation to the late troubles between the late King and Parliament, or between his now Majesty, or any of his Subjects, which are not herein excepted; that the same, and what ever hath ensued thereupon whether treaching upon the laws & liberties of this Nation or upon the honor of his Majesty or upon the Honor or Authority of the Parliament or to the prejudice of any particular or private person shall in no time from and after the 24th of *June*, 1660.

1660. be called in queſtion whatſoever be the quality of the perſon, or of whatſoever kind or degree Civil or Criminall the injury is ſuppoſed to be, and that no mention be made thereof in time to come in judgment or judicial proceedings.

19. If any perſon within three years next enſuing, ſhall preſume maliouſly to call or object or alledge of or againſt any other perſon any words of reproach tending to revive the memory of the late differences, ſuch offendor (if a Gentleman or above, ſhall forfeit 10. *li.* and if not, 40. *s* to the party grieved, to be recovered by action of *Debt*, wherein no Eſſoin, &c. ſo as the ſame be commenced within ſix months after; And if the jury find for the plaintiff, then 40 *s* to him beſides the penalty.

20. This Act ſhall give no benefit to any, who have had any hand in plotting the Rebellion in *Ireland* mentioned in one Act made in the 16th year of the late King *Charles*, or in abetting the ſame, (other then ſuch as by an intended Act ſhall be named to be pardoned) nor to enure to reſtore to any Perſons, Bodies Politick, or Corporate (other then the Marquels of *Ormond*, and other the Proteſtants of *Ireland*) and their Heirs, and ſuch others as in an Act intended to be paſſed ſhall be expreſſed, any Eſtate Liberties or Franchiſes or hereditaments in *England*, or *Ireland*, ſold or diſpoſed of by both or either Houſes of Parliament or any convention aſſuming the name of a Parliament or any perſon or perſons deriving authority from them,

or any of them, or which was approved or confirmed by them or any of them nor to the mean profits Rents or Contingencies of the same.

21. Every person hereby pardoned may plead the general Issue, and give this Act in Evidence for his discharge.

22. This Act shall not extend to pardon any for Thefts, or other Felonies since the 4th of *March*, 1659. nor to acquit or discharge any person from making restitution of such Rents, Moneys, Horses, Cattle or other Goods which by a pretended Act intituled, an Act for Repeal of two Acts for Sequestrations, are required to be restored to those from whom they were taken: Nor shall bar the respective Owner from their respective Actions, or Suits at Law, or in Equity for the same, or other Rents, &c. which since the 25th of *Jan.* 1659. have been wrongfully received, or taken away, and for which the said wrong doers are not indemnified by the said or any other Act or reward.

23. No person, who by vertue of any Order or warrant mediatly or immediately derived from the late King or his now Majesty, or any the Authorities aforesaid, or any persons Acting under them, that have levied seized sequestred or paid to any publicke use, or to any publicke treasury within this Kingdome, any Goods Debts, Rents or Monys belonging to any person whatsoeve, shall be molested for the same: but discharged for so much as their acquittances extend unto.

24. This

24. This shall not discharge any, who have been by private order imployed and intrusted or have undertaken the imployment to receave any monyes for the Kings use, since 1648. from accounting for the same. Nor any person, for any moneys received for Decimation, or for any Militia, setled or acted in since 1648. and not accompted for, or discharged, by any having authority, or pretending so to have.

25. If any the Kings mesnial servants, or having or pretending Instructions from him, have during the time of such his relation to the King or whilst he or they were acting or pretending to act for the Kings interest, in persuance of such instructions wilfully, maliciously and Trayterously held intelligence with any Forain Prince, State or with any person or persons Usurping Supreme Authority in his Majesties Dominions, or with their Agents, and without the Kings License, and to the intent to betray the Kings person or Councels, or have received moneys or pension for such treachery, such person is excepted out of this Act so as such person be outlawed, or otherwise convicted thereof within two years from the 25th of *April* 1660. Nor to pardon or discharge any debts, or moneys due for Excise of any Goods, or Merchandize, whereof Entries have been made in the Custome-House, which have grown due since the 25th of *Mar.* 1658. or to discharge any moneys due to the Farmers, or pretended Farmers of Excise since the 25th of *March*, 1657.

2 This

26. This Act shall not extend to pardon, or give any benefit whatsoever to *Joh. Lisle, Will. Say*, Sir *Hardress Waller, Valentine Wauton, Thomas Harrison, Edw. Whalley, Will. Heveningham, Isaac Pennington, Henry Marten, Joh. Barkstead, Gilbert Millington, Edm. Ludlow*, Sr. *Mich. Livesey, Robert Tichborne, Owen Row, Robert Lilborne, Adrian Scroope, Joh. Okey, Joh. Hewson, William Goffe, Cornelius Holland, Thomas Challoner, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clement, Thomas Wogan, Ed Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Love, Vincent Potter, Augustine Garland, John Dixwel, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Blagrave, Thomas Wayte, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hugh Peters, Francis Hacker, Daniel Axtel*, nor any of them, nor to those two persons or either of them disguised upon the Scaffold the 30th of *January*, 1648. erected before Whitehall All which persons for being instrumentall in the murder of the late King are wholy excluded and left to be proceeded against as Traytors, and are wholly excluded and excepted out of this Act.

27. But in regard the said *Owen Row, Augustine Garland, Edmund Harvey, Henry Smith, Henry Marten*, Sr. *Hardress Waller, Robert Tichburn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Isaac Pennington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter*

Potter, *Thomas Wogan*, and *John Downs* have rendred themselves (according to the Proclamation of the 6th of *June*, 1660) and thereby pretended to some favour; it is enacted that if the said *Owen Row*, and the rest last mentioned persons or any of them, shall be attainted for their treason and murder aforesaid, yet the execution of them shall be suspended, until his *Majesty*, and the Parliament, shall order their execution.

28. Except out of this Act *Oliver Cromwel*, *Henry Ireton*, *John Bradshaw* and *Thomas Pride*, neither shall this Act extend to discharge the Lands, Goods, Rights and Trusts, of *Oliver Cromwel*, *Henry Ireton*, *John Bradshaw*, *Thomas Pride*, *Isaac Ewer*, *Sr. John Danvers*, *Sr. Thomas Malevever*, *William Purefoy*, *John Blakiston*, *Sr. William Constable*, *Richard Dean*, *Francis Allen*, *Peregrin Pelham*, *John Moor*, *John Aldred*, *Humphrey Edwards*, Sir *Gregory Norton*, *John Venn*, *Thomas Andrews* Alderman, *Anthony Staply*, *Thomas Horton*, *John Fry*, *Thomas Hammond*, Sir *John Bourchier* all deceased, from such forfeitures, and penalties, as by an Act of Parliament intended to be passed for that purpose shall be therein expressed.

29. Except also *William* Lord *Mounson*, *James Challoner*, Sr *Henry Mildmay*, Sr. *Jam. Harrington*, *John Phelps*, *Robert Wallop*, all which persons did Act and sit in that Trayterous assembly which murdered the late King *Charles* the first, and are therefore reserved to such pains penalties and forfeitures, not extending to life, as by another

Act

intended Act ſhall be impoſed on them.

30. Alſo except Sr. *Arthur Heſilrig* for and in reſpect only of ſuch pains penalties and forfeitures not extending to life as by an intended Act ſhall be inflicted and impoſed.

31. *Joh Hutchinſon*, Eſq; and *Fran Laſcells*, are made incapable of any place or office of truſt Civil or Military within this Kingdom and *Francis Laſcells* to pay to the King one full years value of his Eſtate.

32. Sr. *Henry Vane*, *John Lambert*, and both of them are and ſhall be out of this Act wholly excepted and foreprized.

33 Provided, if *Will. Lenthal*, *Will. Burton*, *Oliver Saint-John*, *John Iſeton* Alderman. Col. *Will Sydenham*, Col *John Desbrow*, *John Blackwell*, of Moreclack, *Chriſtopher Pack* Alderman, *Richard Keble*, *Charles Fleetwood*, *John Pyne*, *Richard Dean*, Major *Richard Creed*, *Philip Nye*, *John Goodwin* Clerks, Sir, *Gilbert Pickering*, Col. *Thomas Liſter*, & Col. *Ralph Cobbet* ſhall after the firſt of *Sept* 1660. accept or exerciſe any Office, Eccleſiaſtical, Civil or Military or any other publick imployment in *England*, *Wales*, or *Berwick*, then ſuch perſon and perſons who ſhall ſo accept or execute as aforeſaid ſhall ſtand to all intents as if he or they had been totally excepted by name in this Act.

34. All thoſe who ſince the 5th of *December*, 1648. did give ſentence of Death upon any perſon in the late illegal High Courts of Juſtice in *England* or *Wales*, or ſigned the warrant for execution of any perſon there condemned (except Col *Richard Ingoldsby*, and Col *Matthew Thomlinſon*) are

are disabled to bear any Office Ecclesiastical, Civil or Military within *England*, or *Wales*, or to be a member in any Parliament after the first of *September*, 1660.

35. All Trustees in a pretended Act, 1649. concerning Tythes Appropriate, Oblations, *&c.* Fee Farm Rents, first fruits, *&c.* and their Heirs, shall accompt for the same, if they have not been imployed or disposed for maintenance of Ministers or other uses according to the said pretended Act or Ordinance, or some other Acts or ordinances made 1650. and 1654. 1656. by any assembly called or reputed a Parliament, or assuming such power according to the intention thereof. And also the Agents, and receivers under the order of the said trustees. And the occupiers & Tenants of the Premises who have taken the profits thereof without agreement for rent, and have made no satisfaction to the said Trustees or others by their order; and also they who have held the same under agreement to pay rent, and have not paid the same, shall respectively accompt for so much of the premises as is unsatisfied, according to such agreements, all which payments and accompts shall be made to such persons, and in such manner as in Parliament shall be directed. Nevertheless, no Minister, or Schoolmaster or other person for whose benefit or maintenance the said pretended Acts or Ordinances were made shall be accomptable for any rent or mony paid to them or received by them by vertue or colour of any order of the said trustees or any of them or otherwise.

36. This

36 This Act pardons no Bond in his late Majesties name before *May*, 1642. for securing the proper Debt of any servant or Receiver of the Revenue of his said Majesty, if it hath not been paid to or by order of some lawfull or pretended Authority: And whereas by an order of the 26th of *May*, 1641. the House of Commons accepted the summe of one hundred and fifty thousand pounds, as a Composition from the Farmers of several Customes Voted to be illegall, and some of the said Farmers did pay the said some of 150000 pounds at the desire of the said House of Commons. And upon their declaration that such of the Farmers, as did not pay their proportions, should be proceeded against, and out of their Fines satisfaction to be made to those who had paid the said summe, and in pursuance thereof on the first of *June* next insuing, resolved, that the state of such persons living or dead; as have by colour of any pattent received moneys from the subject under the pretence of such customes or have been under-sharers with the patentees ought to be lyable to restitution. This Act doth not pardon any person, his Heirs, Executors, Administrators, or Assigns who have not paid their proportions of the said 150000 pound or ought to have been contributarie thereto from or against misdemeasours relating to the said Customers or from payment of their proportions. But the Estates of the dead, as well

as

as of the living of such, in whose possession soever, (Purchasers *bona fide*, and upon valuable consideration onely Excepted) shall be chargeable with the payment of their proportions respectively.

37 This Act pardons not any moneys due and in arrear for Excise of Beer, Ale, or, other Native Commodity since the 24th of *June*, 1659. Nor any moneys due from Officers, or Soulders for Free-quarter since 2d of *July*, 1659. or any moneys borrowed by any Officers, for preventing of Free-quarter.

38. Provided, That no Conveyance, Assurance, Graunt, Bargain, Sale, Charge, Lease, Assignment of Leases, Graunts and Surrenders by Copy of Court Roll, Estate, Interest, Trust, or limitation of any use or uses of any Manors, Lands, Tenements, or Hereditaments, (not being the late Kings, Queens, Prince, or Church-lands, nor being Lands, *&c.* sold or given, or so appointed to be for the Delinquency, or the pretended Delinquency of any one whatsoever by vertue or pretext of any Act, Order or Ordinance or reputed Act, *&c.* since the first of *January*, 1641. Nor any Statute, Judgment, or Recognizance had made acknowledged or suffered to any person, or bodies Politick or Corporate, before the 29th of *September*, 1659. by any of the persons before in this Act by name excepted, or their Heirs, or by any claiming by, from or under them or any of them, other then their Wives, Children, Heir and Heirs of such persons or any of them, for money *bona fide* to them or any of them paid, or

or lent, nor any Conveyance or Eſtate, &c. made before the 25th of *April*, 1660. by any perſon, to any ſuch perſon excepted by name as aforeſaid; in truſt, or for the benefit of any other perſons, Bodies Politick or Corporate, not excepted by name as aforeſaid, ſhall be defeated, impeached, made void or fruſtrated hereby, or by the attainder, or conviction of any ſuch excepted perſon, but that the ſame ſhall be held and enjoyed by the Purchaſers, Grantees, Leſſees, Aſſignees, *Ceſtuy que uſe*, *Ceſtuy que truſt*, their reſpective Heirs, Executors, &c. as if no ſuch attainder, or conviction had been.

39. This Act ſhall not Indempnifie any perſon or perſons, who have entred into any Meſſuages, Lands, Tenements and Hereditaments called Fabrick, Lands, or poſſeſt themſelves of any Rent or Revenues given for the repair of any Cathedral or other Church, or have ſacrilegiouſly enriched themſelves, by converting the Plate, Utenſils & materials of or belonging to ſuch Churches to their own private uſe and advantage, for or in reſpect of the ſaid Crimes only.

Pol-money, ſee Taxes.
Rouls, ſee Leaſes.
Star-Chamber, ſee Courts.
Stanneries, ſee Courts.
Sewers.

Sewers.

1. **Stat.** 12. *Car.* 2. *cap.* 5. Commissions of Sewers before the 23th of *October*, and not after, may be made by the Lord Chancellour, Commissioners of the Treasury, Chancellor of the Dutchy, Chief Baron, and Judges of either Bench, or any three of them, which shall be good notwithstanding 23. *H.* 8. which is confirmed after the said 23th day of *October*.

2. The Kings assent shall not determine this Session.

Ship-money.

1. **Stat.** 17. *Car.* 1. 14. Enacted, That the charge imposed upon the Subject for providing and furnishing of Ships commonly called Ship-money, and the extrajudicial opinion of the Justices and Barons, and the said Writs and the Judgment given against *John Hampden* are contrary to the Laws and Statutes of this Realm, the property, Liberty of the Subjects and the Petition of Right made in the third year of his Majesties Reign that now is.

2. That all particulars in the said Petition of Right shall be put in execution, and firmly holden, as therein they are expressed: And that all the Records, *&c.* of the Judgments and Proceedings, *&c.* upon Ship-writs aforesaid, and dependents thereupon shall be adjudged

judged utterly void, and all Judgments, and Inrolments touching the same shall be vacated, and cancelled.

Shipping and Navigation.

1. *Stat.* 12. *Car.* 2. 20. From the first of *December*, 1660. No Goods or Commodities whatsoever shall be imported into or exported out of any his Majesties Plantations or Territories, *&c.* or which may hereafter belong to him, his *Heirs*, and Successors in *Asia*, *Africa*, or *America* in any Vessel, but in such as do truly belong only to the people of *England*, *Ireland*, *Wales*, or *Barwick* upon *Tweed*, or are of the built of those Plantations or Territories as the Owners thereof, and whereof the Master, and three fourths of the Mariners at least are English under the forfeiture and loss of all such Goods, and of the Ship or Vessel with all its Guns, Furniture, *&c.* one third part to the King his *Heirs*, *&c.* another part to the Governor of such Plantation, *&c.* if the Ship or Goods be there seized, If not to the King, *&c.* and the other third part to the Seizor, or Informer to be recovered in any Court of Record by Bill or otherwise, wherein no Essoign, *&c.* And all Commanders at Sea of Ships of War, or others, having Commission from the King are required to seize as Prize all such Vessels, as offend herein, and deliver them to the Court of Admiralty, to be proceeded against; and upon condemnation, one moiety thereof to such Commanders and their Companies, to be

be divided according to the Rules at Sea in cases of seize, and the other moiety to the King his Heirs, &c.

2. No Alien, not naturalized, or indenizen, shall from the first of *February*, 1661. occupy as a Merchant or Factor in any such Plantation, &c. upon pain to lose all his Goods and Chattels found in his possession, one third part to the King, another to the Governor there, and another to him that will sue for the same in any Court in that Plantation: And all such Governors are required, and all those entring, shall before their entrance swear to do their utmost in the observation of the Premises. And upon complaint and proof made to the King, or others Authorized, that any such Governors have been negligent therein, then he to be removed.

3. No Goods of the growth, or Manufacture of *Africa*, *Asia*, or *America*, or any part thereof, or which are usually described in those Maps, shall be imported into *England*, *Ireland*, *Wales*, *Guernsey*, *Jersey*, or *Berwick*, but in such Ships as aforesaid, upon pain to forfeit all such Goods, and the Ship with the Appurtenances, one moiety thereof to the King, and the other to the informer.

4. No Commodities of Forain growth, or Manufacture, and which are to be brought into *England*, *Ireland*, *Wales*, *Guernsey*, *Jersey*, or *Berwick*, in English Ships, or other shipping belonging to some of the aforesaid places, and Navigated by English Mariners as aforesaid, shall be shipped or brought from any other place

but

but from those of their growth, or Manufacture, or from those Ports where such Goods are usually first shipped for transportation upon the pains aforesaid, to be disposed of as is last abovementioned.

5. All salted Fish usually caught by English, Irish, Welch, or men of *Barwick*, Codfish, Herring, Oyl, or Blubber, made of any Fish, Whale-fins, or Whale-bones which shall be imported into *England*, *Ireland*, *Wales* and *Barwick*, not taken in Vessels truly belonging thereunto, and such Fish cured, saved, or dried, and the Oyl and Blubber aforesaid, which shall be accompted and pay as Oyl not made by the people thereof, and shall be imported into *England*, &c. shall pay double Aliens Custom.

6. No person shall carry in any Vessel whatsoever, whereof any stranger borne (unless indenized, or naturalized) is Owner, part-owner, or Master, and three fourths of the Mariners English, any Fish, Victual, or Commodities whatsoever from one Port, or Creek of *England*, *Ireland*, *Wales*, *Guernsey*, *Jersey* or *Barwick*, to another Port or Creek of the same, upon pain to forfeit all such Goods, and the Ship or Vessel, and all her Guns, Tackels, &c. one moiety to the King, and the other to the Informer, or Seizor.

7. Where any abatement is given in the Book of Rates, to any Goods imported, or exported in English built Shipping, that is to say, built in any place in the Kings Dominions or his Territories in *Africa*, *Asia*, or *America*

merica, and that the Master, and three fourths of the Mariners of the said ships at least be also English: and that where it is so required, they must be so during the whole Voiage, unlesse in case of Sickness, Death, or Captivity, to be proved by the Oath of the Master, or other chiefe Officer of the Ship.

8. No Goods of the growth, or Manufacture of any Countries of the Emperour of *Moscovy* or *Russia*, nor Masts, Timber, Boards, Salt, Pitch, Tarr, Rozin, *Hemp*, Flax, Raisins, Figs, Prunes, Olive-oyl, Corn, Sugar, Pot-ashes, Wines, Vinegar, or Brandy-wine shall after the first of *April*, 1661. be imported into *England*, *Ireland*, or *Wales* or *Barwick* in any Vessel, but in such as belong to the people thereof, as true Owners, and the Master, and Mariners English as is aforesaid.

9. No Currance nor Commodities of the growth, or Manufacture of any Dominions belonging to the Turkish Empire, shall after the first of *September*, 1661. be imported into any the said places, but in English Vessels, and Navigated as aforesaid; Except in Ships of that place of which such goods are of the growth, or Manufacture, or of such Port, where such Goods are usually first shipped for Transportation, and the Master and three fourths of the Mariners at least are of the said Country, upon pain to forfeit the Ship and Goods as in the precedent Clause.

10. All *French*, and *German* Wines, which after the 20.th of *October*, 1660. shall be im-

por-

ported into the said Ports, or places as aforesaid in any other Vessel then *English*, *Irish*, *Welch*, or *Barwick*, and Navigated as aboves said shall be deemed Aliens Goods, and pay Customs accordingly. And all Masts, Timber, Boards, Salt, Pitch, Tarr, Rozin, Hemp, Flax, Raizens, Figs, Prunes, Olive-Oyles, all sorts of Corne or Grain, Sugar, Pot-ashes, Brande-wine, or Aqua vitæ, Wines of *Spain*, *Canaries*, *Portugal*, *Madera*, or Western Islands, and all *Muscovian* or *Russian* Goods which after the first of *April*, 1661. shall be imported into any of the aforesaid places, in any other then such shipping, and so Navigated; And all Currance and Turky Commodities, which after the first of *September*, 1661. shall be imported into any the said places, in other then English built Ships, and Navigated as above said, shall be deemed Aliens Goods, and pay all duties accordingly.

11. After the first of *April*, 1661. No Forain built Ship or Vessel shall be deemed or pass as a Ship to *England*, *Ireland*, *Wales*, or *Barwick*, or enjoy the privledge of such a Ship, &c. until the Owner shall make appear to the chief Officer of the Customs in the Port next to the place of his aboad, that he is no Alien, and shall swear before such Officer, that such Vessel *bona fide* was by him bought for valuable consideration, expressing the sum, time, and place and person from whom it was bought, and his part-owners, (if he have any) who shall take the said Oath, and that no Forainer hath any share therein, and

and thereupon he or they shall receive a Certificate under the hand and seal of the said Officer, whereby such Vessel may hereafter be deemed as a ship of that Port, and enjoy the priviledge accordingly; And the said Officer shall keep a Register of such Certificats, and return a Duplicat thereof to the chief Officers of the Customs at *London*, for *England*, *Wales*, and *Barwick*, and to *Dublin* if given in *Ireland*, together with the name of whom it was bought, and the sum paid, and the names of the part-owners of her, if any be.

12 If any Officer of the Customs shall after the said first of *April*, allow the priviledge aforesaid to any Forain built Ship or Vessel, until such Certificate be before them produced, or such proof and Oath taken before them, or shall allow the priviledge of an English built Ship, or other ship to any the aforesaid places belonging to any English or Forain built Ship, coming into any Port, and entring any Goods untill examination, whether the Master, and three fourths of the Mariners be English, or allow to a Foraign Ship, bringing its Country Commodities the privilledge of this Act, untill examination and proof whether it be a ship of that Countrey, and the Master, and three fourths of the Mariners of the same Country: or if any Governour of any Lands, Plantations, Territories, *&c.* in *Africa*, *Asia*, or *America* made by the King, shall suffer any Forain Ship, or Vessel to load, or unload any Goods within their Precincts, untill such Certificate be produced before them, or such as he shall

appoint, and examination whether the Master, and three fourths of the Mariners be English; for the first offence, such Officers and Governours shall be put out of their places.

13. Provided, This Act shall not prohibit the importation of any of the Commodities of the *Straits*, or *Levant* Seas, laden in English built shipping, the Master, and three fourths of the Mariners at least being English, from the usuall places for loading of them within the *Straits* or *Levant* Seas, though such goods be not of the growth of those places. Nor restrain the importing of any *East-India* Commodities loaden in English built shiping, and the Mr. and three fourths of the Mariners being English, from the usuall places of lading in those Seas, to the Southward, and Eastward of *Cabo bona Speranza*, though such Ports be not the places of their growth.

14. It shall be lawfull for the people of *England*, *Ireland*, *Wales*, *Guernsey*, *Jersey* or *Barwick* in Vessels or Ships to them belonging, whereof the Master, *&c.* are English, to bring from *Spain*, or *Portugall*, the *Azores*, *Madera*, or *Canary* Islands, all Goods of the growth, or Manufactures of the Plantations of either of them respectively.

15. This Act shall not extend to Bullion, nor Goods taken or that shalbe taken by way of Reprizal by any ships of the places last abovementioned, and whereof the Mr. and three fourths of the Mariners are English, being commissionated from the King, his Heirs, or Successors.

16. This

16. This Act shall not extend to lay Aliens duties upon Corn of the growth of *Scotland*, or Salt made there, or Fish saved and cured by the people of *Scotland*, and imported directly from *Scotland* in Scotch built ships, of his Majesties Subjects, and whereof the Master, and three fourths of the Mariners are Subjects, nor to any Sea-oyl of *Russia*, imported from thence into *England*, *Ireland*, *Wales*, or *Barwick*, in shipping *bona fide* to some of the said places belonging, and whereof the Master, and 3 fourths of the Mariners are English.

17. All Ships or Vessels belonging to the French, which after the 20th. of *Octob.* 1660. shall come into any Port, Creek, Harbour, or Road of *England*, *Ireland*, *Wales*, or *Barwicke*, and there lade, or unlade any Goods, or take in, or set on shore any passenger, shall pay to the Collector of the Customes there, for every Tun, to be computed by the Officer there, 5 *s. Sterlings*: and no such Ship or Vessel to depart thence, untill that duty be paid. This duty to continue so long as a duty of fifty *Solls per* Tun, imposed by the French King, shall continue to be collected upon English shipping, lading in *France*, and three moneths after, and no longer.

18. After the first of *April*, 1661. No Sugars, Tobacco, Cotton-wool, Indicoes, Ginger, Fustick, or other Dying wood, of the growth or Manufacture of any English Plantations in *America*, *Asia*, or *Africa*, shall be transported thence to any place whatsoever, except to other English Plantations,

or *England*, *Ireland*, *Wales*, or *Barwick* there to be laid on shore, upon pain to forfeit such Goods, or their value, and also the Ship with the Appurtenances, the one moiety to the King, and the other to the Seizor or Informer.

19 For every Ship or Vessel, which after the 25th of *December*, 1660. shall sail from *England*, *Ireland*, *Wales*, or *Barwicke*, to any English Plantation in *America*, *Asia*, or *Africa*, bond with one Surety shall be given to the chief Officers of the Custome-house of such Port from whence such ship shall sail to the value of 1000 *l.* if the ship be of less burthen then 100. Tuns, and of 2000 *l.* if it be of greater burthen; That if such ship shall load any of the said Commodities at any of the said Plantatiõs, the same shall be brought by the said ship to some Port of *England*, *Ireland*, *Wales*, or *Barwick*, and there unload the same, the danger of the Seas excepted: And for ships coming from other places to any of those Plantations, who are permitted hereby to Trade there, the Governour of such English Plantations shall before such Vessels be permitted to load on board any of the said Commodities, take Bond as aforesaid for each Vessel, that it shall carry all the aforesaid Goods that shall be loaden on board in the said ship to some other English Plantation, or to *England*, *Ireland*, *Wales*, or *Barwick*: And every ship which shall load such Goods, untill such Bond given to the said Governor, or Certificate produced from the Officers of any Custom house of *England*, *Ireland*, *Wales*, or *Barwick* that such bond hath

hath been there duly given, ſhall be forfeited with all her guns, tackle, &c. to be employed, and recovered as aforeſaid: And the reſpective Governours ſhall twice yearly after the firſt of *January*, 1660. return true Copies of all ſuch Bonds by him ſo taken, to the chief Officers of the Cuſtom in *London*.

Souldiers.

Stat. 12 *Car.* 2. 17. All the Army whether in Field or Garriſon within *England*, *Wales*, *Barwick*, and all Engliſh Forces in *Scotland*, (except therein excepted) ſhall be ſpeedily disbanded and diſcharged: And the Duke of *Yorke*, the Duke of *Albemarle*, the Lord great *Chamberlain*, the Lord *Steward*, the Earl of *Leiceſter*, and the Lord *Roberts*, Sir *Richard Brown*, Sir *William Doiley*, *John Birch*, *William Prynne*, *Edward King* and *Rob. Seawen*, or any three or more of them, whereof one named by the Houſe of Lords, and another by the Houſe of Commons to be two, are conſtituted Commiſſioners for that purpoſe, according to the Inſtructions therein expreſt.

2. The preſent Treaſurers at War, the Treaſurers named in one Act, Entituled, An Act for the ſpeedy proviſion of Moneys, for Disbanding, and paying off the Forces of this Kingdome both by Land and Sea, ſhall iſſue ſuch reſpective moneys as ſhall be directed by the ſaid Commiſſioners, or any three or more of them.

Disband. Navy, ſee Taxes, 12 *Car.* 2. *cap.* 26.

Souldiers.

1. Stat 12 *Car.* 2. 18. All Officers and Souldiers who were under the Command of *George* D. of *Albemarl*, Captain General of His Majesties Armies on the 15th of *April*, 1660. and not since deserted the service, or refused the Oaths of Supremacy, and Allegiance, and formerly have used any Trade, or were Apprentices not having served their Time; or other perſõ employed under the said Captain General at the time aforesaid, who is able, and apt to practice a Trade, may set up such Trade whereunto he or they have been bound, or any handicraft or other Trade exercised about Manufactures, though he was never bound (in manner ensuing) (*viz.*) such as have been Apprentices, may exercise such Trade whereunto they were bound, as fully as if they had served their times, and shall enjoy all Immunities usual in that kind: And all other of the said Officers, and Souldiers may set up such Trades as they are apt for, in the Towns and places in the Counties where they were born, without molestation of any person whatsoever. And if any such shall be sued for using such Trade, and making it appear to the Court that he hath served as aforesaid, and taken the said Oaths, nor since deserted the service, may plead the general Issue, and if a Verdict be for the *Defendant*, or the *Plaintiff* be Non-suit, or discontinue it, the *Defendant* shall have double Costs of Suit; And all Judges and Jurors before whom such Suit shall be, and all others

thers, are to take notice of this Act.

2. No Officer, or Souldier shall have aid hereof, except he prove his said service, by Certificate under the hand and seal of some Field-Officer, and two Commission-Officers of his Regiment, or some General Officer of the Army; the Certificate to be proved by one Witnesse at the least: and if no Certificate, by the Oaths of two credible persons.

3. Provided if any such produce a false Certificate, and thereof be convicted by confession, or proof, he shall be imprisoned six moneths, and lose the benefit of this Act.

4. The said Officers, and Souldiers, and all others exercising any Trade in any City, or Corporation, shall be liable to bear all Offices there, when elected thereunto, and submit to such orders of Corporations and Companies for search of their Manufactures, as others free of such Companies or Corporations are subject unto.

Tonnage and Poundage.

1. Stat. 12 *Car.* 2. 3. Of every Tun of *French*-Wine imported into the Port of *London*, and the Members thereof by way of Merchandize by natural born Subjects, 4 *l.* 10 *s.* and so after that rate, and by Aliens 6 *li.* And for every Tun thereof into other Ports of this Kingdome by Subjects 3 *li.* and by Aliens 4 *lib.* 10 *s.* And for every Butt or Pipe of *Muscadells*, *Malmseys*, *Cates*, *Tents*, *Allicants*, *Bastards*, *Sacks*, *Canaries*

Malagoes, *Maderaes* and other Wines whatsoever, called sweet Wines of the growth of the *Levant*, *Spain*, or *Portugal*, or the Islands thereunto belonging or elsewhere that shall be brought into *London*, By Subjects 45 *s.* and so rateably, and by Aliens 5 *li* and into other Ports by Subjects 30 *s.* and strangers 45 *s.* For every Awm of Rhenish-Wine, or Wine of the growth of *Germany* imported into *England* by Subjects 20 *s.* and by strangers 25 *s.*

2. For Goods of Merchants, Subjects, or Aliens exported, or imported of the value of every 20 *s.* 12 *d.* and so rateably: And of 20 *s.* value of Native Commodities to be exported by Aliens 12 *d.* above the 12 *d.* aforesaid: Except old Draperies, and Wines paying Tonnage, and Fish English, brough by English Bottoms into this Realm, and fresh Fish, and Bestial, and all other goods and merchandize which in the book of Rates are Custom-free.

3. For Broad-cloth exported by Subjects not exceeding 28 yards in length, and 64 pounds in weight 3 *s.* 4 *d.* and of larger Cloath rateably, and of old Drapery of lesser length and weight, accounting so many peices to a short Cloath as are limited in the said book of Rates 3 *s.* 4 *d.* and by strangers 6 *s.* 8 *d.* To have to the King from the 24th of *June* inclusively for life.

4. Goods for which Subsidies are due imported, or exported, the Customs not paid or tendred to the Collector, or his Deputy, with the consent of the Comptroller, and Surveyor,

Surveyor, or one of them, or agreed for, in the Custom-house from the said 24th of *June* shall be forfeit to the King for one moiety, and the other to the Seizor.

5. If any Denizens Goods after the said 24th of *June* hath been or shall be during the Kings life taken by Pyrats, or perished, whereof the said Duties are paid, and duly proved before the Treasurer of *England*, Commissioners of the Treasury, or chiefe Baron of the Exchequer for the time being, by the examination of such Merchants if they be alive, or Executors, *&c.* if dead, or by two credible witnesses sworn, or other reasonable proof, then such Merchant, *&c.* his Executors, *&c.* may newly ship in that Port where they were Customed, so much other Goods, as the goods lost shall amount unto in Custome without paying for the same: so as the proof be recorded in the *Exchequer*, and certified to the Gollectors of that Port where the said Wares are to be new shipped without Custome: Every Merchant Denizen shipping any Goods in a Carrack or Gally, shall pay Custome as an Alien.

6. Subjects may transport in Subjects Vessels all Herrings, and other Sea-fish to be taken upon the sea by any Subject from any Port of this Realm. to any place out of the same without paying Custome, during your Majesties life.

7. A book of Rates agreed on and subscribed by Sir *Harbotle Grimston*, Speaker of the Commons, to be kept and observed during the Kings life.

8. For Goods exported or imported of the value of 5 *li.* or more, Officers in Ports shall take such Fees as were taken the 4th of K. *James*, until otherwise setled by Parl.

9. No person after the said 24th of *June*, and before the 24th of *July*, who have paid, or received any Customs according to the Rates in *April* 1660. shall be molested or impeached for so doing.

10. That no person who hath shipped any goods since the said 24th of *June*, and before the said 24th of *July*, shall pay the same duties as were in *April* aforesaid, and not otherwise.

11. Any person from the passing this Act may transport Iron, Armour, Bandeleers, Bridle-bits, Halbert heads, and sharps, Holsters, Muskets, Carbines, fowling-pieces, Pistols, Pike-heads, Swords, or Rapier-blades, Saddles, Snaffles, Stirrops, Calves skins dressed or undressed, Geldings, Oxen, Sheep-skins dressed without the wool, and all Manufactures of Leather, paying the Rates hereby appointed.

12. Any person may ship and transport Gun-powder, the price not above 5 *li.* the Barrel: And Wheat the Quarter 40 *s.* Rye, Beans and Peas, 24 *s.* Barley and Malt 20 *s.* Oats, 16 *s.* Beef the barrel, 5 *li.* Pork 6 *li.* 10 *s.* Bacon the pound 6 *d* Butter the barrell 4 *li.* 10 *s.* Cheese the 100. 1 *li.* 10 *s.* Candles the dozen pound 5 *s.* paying the Rates hereby limitted.

13. The King by Proclamation may prohibite the transporting of Gun-powder, or Ammunition at pleasure.

14. Besides

14. Besides the Rates abovementioned of every Tun of the growth of *France*, *Germains*, *Portugal*, or *Madera* brought into the Port of *London* or elsewhere shall be paid 3 *li.* within nine moneths after importing. And of every Tun of other Wines 4 *l.* within the said time, and security to be given accordingly; And if paid, or secured, at the importation, and exported within twelve moneths after their importing, then the said additional Duty shall be returned, or the security discharged, as to so much exported: And if at the importation the Importer pay ready money, he shall be allowed after the rate of 10 *li. per Cent.* for a year.

15 That from and after the said 24. of *July* all Wines to be imported shall be discharged of Excise.

16 Prize Wines shall pay no Tonnage, or Custom imposed by this Act.

Terme.

1. **Stat. 17 Car. 1. 6.** Reciting divers Inconveniences in regard *Michaelmas* Term doth begin so soon after the Feast of Saint *Michael*, Enacteth that there shall be onely six dayes of Return in that Term, that is to say, *A die Sancti Michaelis in tres Septimanas. A die Sancti Michaelis in unum Mensem. In Crastino animarum. In Crastino Sancti Martini, In Octabis Sancti Martini, A die Sancti Martini in quindecim dies.*

2. *Michaelmas* Term shall hereafter commence at *Tres Septimanas Sancti Michaelis* for the keeping of Essoins, Proffers, Returns, and other Ceremonies heretofore kept, and the

the full Term shall commence upon the *quarto die* of the said *Tres Septimanas*, (except it be on Sunday) and then on the morrow next after.

3. Writs in real Actions (other then Writs of entry for common Recoveries. Writs of Right of Advowson, and Writs of *Dower, unde nihil habet* hereafter mentioned) being returnable in the Common Pleas *Tres Michaelis*, then day shall be given *Crastino Purificationis*, if *mense Michaelis, octabis Purificationis*, and so for all others in the Act specially expressed for every Term in the year.

4. *Provisо*, That in Writs of *Dower* aforesaid, after Issue joyned fifteen dayes betwixt the Teste and the Return of the *Venire fac.* or other processe shall be effectual as is used in personal Actions.

5. *Crastino Ascensionis* shall be a perfect Return although there be not 15. dayes between the *quarto die* of that Return, and the Essoin day of return of *Crastino Trinitatis*: And the return in Writs and personall actions from *Tres Michaelis* to *Crastino Animarum* shall also be a good return, although there be not 15 days between the *quarto die* of *Tres Michaelis*, and the Essoyn days of *Crastino Animarum*.

6. All Writs of Summons *ad Warrantizandum* against Vouchees upon Common Recoveries had in Writs of Entry, and Writs of right of Advowson upon the appearance of the Tenant shall be abridged to five Returns as Writs of Summons *ad Warrantizandum* in Writs of *Dower* heretofore have been used.

All

All Writs and proceſſe perſonall or mixt returnable in *Michaelmas* Term, ſhall keep the ſaid Returns of *Tres Michaelis*, *menſe Michaelis*, &c. or any of them.

7. Provided that in ſuch Caſes, and Proceſs, as ſpeciall dayes have been appointed for return of Writs, and Proceſſe, The Juſtices of every of the Kings ſaid Courts of Record may appoint ſpecial days of Returns by their Diſcretions.

8. The days in an Aſſize of Darreign preſentment, and in Plea of *Quare Impedit* limited by the Statute of *Marlebridge*, and the days given in Attaint, by 5 E. 3. 8. 8. and 23 *H.* 8. 3. being not contrary to the tenour of this Act, ſhall be holden firm, and ſtand in full force.

Terme, ſee Continuance.

Treaſon.

1. Stat. 12. *Car.* 2. 29. Reciting the horrid and execrable Murther of the late King *Charles* committed by a party of men deſperately wicked, and hardned in their impiety, who having contrived his ruine, the Proteſtant Religion, and Bulwarks of Law, and to ſubvert the conſtitutiō of Parliaments, thereby to make way for their Trayterous deſigns, and for the effecting thereof ſeduced part of the Army into a compliance, and deluded the reſt in hope of preferment, and their Arrears, until they were ſtrengthened in

in power, and faction; then declare against Treaties with the King, while the same was in being, Remonstrate against the Parliament, seize upon his Person, after his Concessions had been Voted a ground for Peace, interrupt the House of Commons, and there being left but a small remnant of their own Creatures, assumed upon them the Name and authority of a Parliament, and by colour thereof laboured their long intended Treason: Erected a prodigious Tribunall called an High Court of Justice, for Trial of his Majesty, by their owne Authority without the Peers, and at last upon the 30th of *January*, 164$\frac{8}{9}$. publickly murthered his Majestie before the Gates of his own Palace; by which horrid action, Religion hath received the greatest reproach, and the people of *England* the most insupportable shame that was possible for the enemies of God and the King to bring upon us: thus the phanatick rage of a few miscreants (as far from true *Protestants*, as from true Subjects) is imputed by our Adversaries to the whole Nation: who hereby do abominate and protest against that impious fact, and declare that by the Laws, neither *Peers* nor *Commons*, in or out of *Parliament*, nor the *People* collectively, or presentatively ought to have any coercive power over the persons of the Kings of this Realm: And for the better vindication of our selves to posterity, and as a monument of our detestation of that villanous Act; Do Enact, that the 30th of *January* (if not Sunday) then the next day after, shall for ever be observed in all the Kings Dominions as an anniversary

day

day of Fasting, and Humiliation for the diverting of Gods Judgements from us, and our posterity for that most hainous Treason.

That *Oliver Cromwel*, *Henry Ireton*, *John Bradshaw*, and *Thomas Pride* all deceased, shall be adjudged to be convicted and attainted of high Treason to all intents and purposes as if they had been attainted in their lives; And also that *Sir Hardress Waller*, *Will. Heavening ham*, *Isaac Pennington*, *Henry Marten*, *Gilbert Millington*, *Robert Tichburn*, *Owen Row*, *Robert Lilburn*, *Henry Smith*, *Edmund Harvy*, *John Downs*, *Vincent Potter*, *Augustine Garland*, *George Fleetwood*, *Simon Mayn*, *James Temple*, *Peter Temple*, *Tho. Wayte*, and *Will. Hewlet* who now stand legally attainted: And also *Thomas Harrison*, *Adrian Scroop*, *John Carew*, *John Jones*, *Thomas Scot*, *Gregory Clement*, *John Cooke*, *Hugh Peters*, *Francis Hacker* and *Daniel Axtel*, who have most deservedly suffered death, and been executed according to Law; And also that *John Lisle*, *Will. Say*, *Valentine Wauton*, *Edward Whalley*, *John Barstistead*, *Edmund Ludlow*, *Sr. Michael Livesey*, *John Okey*, *John Hewson*, *Will Goffe*, *Cornelius Holland*, *Thomas Challoner*, *Miles Corbet*, *Will. Cawley*, *Nicholas Love*, *John Dixwel*, *Daniel Blagrave*, *Andr. Broughton* and *Edward Dendy*, and every of them who are fled from justice not daring to abide a legal Tryal, shall be adjudged convicted and attainted of high Treason. And that all and every the Manors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Interests, Offices, Fees, Annuities,

ties, and all other the Hereditaments, Leases for years, Chattels real, and other things of that nature, whatsoever they be, of all the said persons before mentioned as well deceased, attainted, executed, or fled, which they or any of them, or any other to their or any of their uses, or in trust for them or any of them had the 25th of *March*, 1646. or at any time since, shall stand and be forfeited unto your Majesty, your Heirs and Successours, and shall be deemed, vested and adjudged to be in the actual and real possession of your Majesty without any office or Inquisition thereof hereafter to be taken or found. And also that all and every the Goods, Debts, and other the Chattels personal whatsoever, of them the said *Oliver Cromwell*, *Henry Ireton*, *John Bradshaw*, and *Thomas Pride*, whereof at the time of their respective deaths, they or any of theirs, or any other in trust for them stood possessed in Law or Equity, and all the Goods, Debts and other the Chattels personal whatsoever of all the other persons as well those who are attainted, executed, and fled, whereupon the 14th. day of *February*, 1659. they or any of them, or any other in trust for them, or any of them stood possessed either in Law or Equity shall be deemed and adjudged to be forfeited unto, and are hereby invested, and put into the actual and real possession of your Majesty without any further Office or Inquisition thereof hereafter to be taken or found.

Provided, No Conveyance, Charge, Lease, Grant or Surrender by Copy, Estate, Trust, or limitation of use out of any Lands, not being

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ing the late Kings, Queen, or Prince, or Church Lands, nor Lands ſold for pretended Delinquency of any perſon by pretext of any reputed Act, or Ordinance ſince the firſt of *January*, 1641. nor any Statute, Judgement, or Recognizance acknowledged to any perſon, or body Corporate before the 29th of *September*, 1659. by any the ſaid Offenders, or their Heirs, or by any perſons claiming under them, other then their Wives, or Children, for money *Bona fide* to them paid or lent, nor any Conveyance, or Eſtate made before the 25th of *April*, 1660. by any perſon to any of the Offenders aforeſaid in truſt: and for the benefit of any other not being any of the ſaid offenders, or in truſt for any Corps politick, ſhall hereby be defeated, or made void, or by any the Attainders aforeſaid: but that the ſame ſhall be enjoyed by the Purchaſers, Grantees, Leſſees, Aſſigns, *Ceſtuy que uſe*, *Ceſtuy que truſt*, their Heirs, Executors, *&c.* as if this Act had not been made, and as if the ſaid Offenders had not been in any any manner attainted: ſo as ſuch conveyances, grants and Aſſurances ſhall before the firſt of *Jan.* 1661. be enrouled in the *Exchequer*, and otherwiſe.

Provided, all the Lands, and Poſſeſſions late of *Henry* Marqueſs of *Worceſter*, and *Edw.* now Marqueſs, and *Henry* Lord *Herbert* his Heir apparent, or any of them, wherein the ſaid *O. Cromwel*, or any in truſt for him, or any hereby attainted, or otherwiſe, or any perſon in truſt for them, had any Eſtate, at any time before or ſince the death of the ſaid *Cromwel*, are hereby veſted, and ſhall be enjoyed

joyed by the said Marquess, and his Heirs in such manner as they formerly had the same: Any thing in this Act contained, or any Conveyance formerly made by them, or either of them, unto the said *Cromwel*, or by *Cromwel* to others, notwithstanding. Saving to all, their Heirs, Successors, Executors, &c. all such right in Law, or Equity out of the premises, not intrusted for the said Offenders, nor derived under them, since the 25th of *March*, 1646. And such persons where their Entry was lawfull upon such Offenders, or their Heirs upon the said 25th of *March*, or since, may without Petition, or other suit, to the King, enter into the premises in the Kings possession, or his Parentees.

Provided, that all persons who have received any Rents, or Mean profits out of the Estate of any the said Offenders, before the 21. of *February*. 1659. and have paid, or accompted for the same before that time unto such Offenders, or their Assigns, or any claiming under them, shall be cleerly acquitted of the same against the King, his Heirs, and Successors.

Provided, That *Richard Ingoldsby*, may retain, or dispose all the Goods and Chattels formerly belonging to Sir *Hardress Waller* in *Ireland*, until 2000 *l.* (for which the said *Richard* 1658. stood joyntly bound with the said *Waller* to *James Brooks* Alderman of *Yorke*, and was then counter-secured by a Judgement upon his Lands, and since by a Bargain and Sale of the said Goods & Chattels) be fully paid, together with the interest

reſt thereof; he the ſaid *Richard* paying the overplus (if any be) to the King.

Taxes.

Stat. 12. *Car.* 2. *cap.* 6. An Ordinance of the Lords & Commons made juſt before his Majeſties Reſtauration of ſeventy thouſand pounds by the moneth upon *England* for 3 moneths, ſhall be put in execution, and be in full force and virtue.

Taxes.

Stat. *Car.* 2. *cap.* 9. Which is called the Poll Act, That all and every perſon and perſons who at the time of the execution of this Act ſhall be of the ſeveral Ranks and degrees hereafter mentioned ſhall pay the ſeverall ſums of money in this Act ſet down and appointed, *viz.*

1. Every Duke of *England*, *Scotland* or *Ireland* inhabiting and reſiding within this Kingdom ſhall pay the ſum of 100 *li.* Every Marqueſs 80 *li.* Every Earl 60 *li.* A Viſcount 50 *l.* A Baron 40 *li.* They in like manner reſiding within this Kingdom. The eldeſt ſon of a Duke being of the age of 21 years 60 *li.* The eldeſt ſon of a Marqueſs being of the age of 21 years 50 *li.* The eldeſt ſon of an Earl 40 *li.* The eldeſt ſon of a Viſcount 35 *li.* The eldeſt ſon of a Baron 30 *li.* being ſeverally of the age of two years. A Baronet of any of the ſaid three Kingdoms, or of *Nova Scotia* 30 *li.* A Knight of the Bath 30 *li.*

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A Knight Batchelour 20 *li.* A Serjeant at Law 20 *li.* Every person of the degree of an Esquire or so reputed and above the age of 21 year 10 *li.* Every Widow respectively according to her husbands degree shall pay the third part rated by this Act upon that degree of which her husband was in his life time.

2. Every Parson or Vicar possessed of a Parsonage or Vicarage or other Estate of the yearly value of 100 *li.* the sum of 40 *s.* Every Doctor in the Civil or Canon Laws 5 *li.* And every Advocate 5 *li.* A Judge or Commissioner in the Courts of Admiralty or of the Probate of Wills 20 *li.* A Proctor 5 *li.* A Doctor of Physick 10 *li.*

3. The Lord Mayor of *London* 40 *li.* Every person who either now is Sheriff or Alderman of the said City of *Lond.* or hath fined for he same 20 *li.* Every person who now is or hath been Deputy to any Alderman within the said City 10 *li.* The Town-Clerk of *London* 20 *li.* Every Common-council-man of the said City 5 *li.* Every person who hath been or now is Master of any of the 12 first Companies of the said City of *London*, or hath fined for the same 10 *li.* Every person who hath been or now is Warden of any of the said 12 first Companies or hath fined for Warden of the same 6 *li.* 13 *s.* 4 *d.* Every one of the Livery of the said twelve first Companies 5 *li.* Every person of the Yeomanry 3 *li.* Every person who is or hath been Master of either of the Companies of Diers, Brewers, Leathersellers, Girdlers, Stationers, Woodmongers, Upholsters, Apothecaries Pewterers,

ers, Tallow-chandlers, Armourers or Sadlers the ſum of 6 *li.* Every perſon who hath been Warden of either of the ſaid Companies 5 *li.* Every perſon of the Livery 3 *li.* Every perſon of the Yeomanry 1 *li.* Every perſon who hath been or is Maſter of the Companies of Barber-Chyrurgeons, White-Bakers, Wax-chandlers, Cutlers, Butchers, Carpenters, Painters, Cordwayners, Coopers, Scriveners, Brown-bakers, Turners or Inholders the ſum of 3 *li.* Every perſon who is or hath been Warden of the ſaid Companies 2 *l.* Every perſon of the Livery 1 *l.* Every perſon who is or hath been Mr of either of the Companies of Founders, Curriers, Maſons, Bricklayers, Joyners, Playſterers, Weavers, Fruiterers, Marblers, Imbroiderers, Poulterers, Cooks or Plummers the ſum of 1 *li.* Every perſon who is or hath been Warden 15 *s.* Every of the Livery 10 *s.* Every perſon who is or hath been of the Livery of either of Company of Bowyers, Fletchers, Blackſmiths, Bottlemakers, Woolpackers, Farriers, Paviers, Loriners, Glaſiers, Clerks or Watermen 5 *s.* Every Freeman of any Company within the City of *London* 1 *s.* He that keepeth one or more Hackney-coaches ſhall pay for every Hackney-coach and pair of horſes 10 *s.* Every Merchant ſtranger if a Knight 40 *li.* If below that degree, and he be a Merchant trading to Sea 10 *li.* If trading within the Land 5 *li.* Every Alien born uſing any Trade, Myſtery or Manual Occupation within any of the Cities or Corporations of this Kingdom being

a House-keeper 20 *l.* Every English Merchant inhabiting or residing in or about *London* and not free of the said City 10 *li.* Every English Factor residing within the said City 2 *li.* Every person who is or hath been an Alderman in any City within this Kingdom if he be below the degree of a Knight or Esquire 5 *li.*

4. That all and every such person and persons who is possessed of any of the several Offices or Places hereafter set down (*viz.*) The Prothonotary of the Kings Bench 100 *li.* The Clerk of the Crown of the Court of Kings Bench aforesaid 20 *li.* *Custos Brevium* of the said Court 40 *li.* The Marshal of the Kings Bench 50 *li.* The Master of the Rolls 60 *li.* The Clerk of the Crown in the Court of Chancery 40 *li.* The Clerk of the Rules in the Kings Bench 10 *li.* The Warden of the Fleet 50 *li.* The Clerk of the Hannoper 40 *li.* The Master of the Subpœna Office 40 *li.* The Clerks of the Inroulment a piece 10 *li.* The Usher of the Court of Chancery 30 *li.* Every one of the Six Clerks in Chancery 40 *li.* Every Cursitor of the said Courts 10 *li.* Every Clerk of the Petty-bag 5 *li.* Every Examiner of the said Courts 10 *li* Chief Register in the said Courts 20 *li.* Every under Register 10 *li.* Every person admitted as an under Clerk in any of the Offices of the six Clerks in Chancery 3 *li.* The Clerks of the Chappel of the Rolls a piece 3 *li.* Every Prothonotary of the Courts of Common-pleas 50 *li.* *Custos Brevium* of the said Courts 80 *li.* Every Philezer of the said Courts 10 *li.*

10 *li*. The Master of the Fine Office 30 *li*. Clerk of the Warrants 10 *li*. Clerk of the Outlawries 20 *li*. Clerk of the Kings Silver-Office 20 *li*. Clerk of the Statutes 20 *li*. Clerk of the Treasury 10 *li*. Clerk of the *Habeas Corpora* Office 10 *li*. The Exigenter of the City of *London* 40 *li*. Every other Exigenter in the Common-pleas 5 *li*. The Kings Remembrancer in the Courts of Exchequer 40 *li*. The Lord Treasurers Remembrancer in the said Courts 10 *li*. Every of the Tellers of the said Courts 20 *li*. a piece. Every Attorney of the Exchequer belonging to the Office of the Kings Remembrancer 10 *li*. Every Attorney of the Office of Pleas in the said Court 10 *li*. The Remembrancer of First Fruits & Tenths in the said Courts 10 *li*. The Clerk of the Pipe 40 *l*. The Forain Opposer 20 *li*. The Clerk of the Estreats 20 *li*. The Clerk of the Pleas in the said Court 30 *li*. The Auditor of the Receipt of the Exchequer 40 *li* Clerk of the Pell in the Receipt aforesaid 30 *li*. The Usher of the said Court of Exchequer 20 *li*. Every Attorney in the Office of Pleas in the said Court of Exchequer 10 *li*. Every Auditor in the said Court 10 *li*. The Clerk of the Court of the Dutchy of *Lancaster* 10 *li*. Every Auditor of the said Court 10 *li*. Every Clerk of the Privy Seal 10 *li*. Every Clerk of the Signet 10 *li*. Every Attorney at Law of any of the Courts at *Westm*. or in the Courts of Law or Equity within any of the Counties Palatine of *Chester*, *Lancaster*, or *Durham* and the Marches of *Wales*, 3 *li*.

Every person in any office or place under his

his Majesty (except his Majesties Houshold servants in ordinary) who receiveth the yearly fee of ten pounds, the sum of 10 *li.*

The Lieutenant of the Tower of *London*, 50 *li.* Every person that can dispend in Land, Leases, Money, stock, or otherwise of his or her own proper estate an 100 *li. per ann.* the sum of forty shillings, and so for a greater or lesser estate not under five pounds yearly. Every single person above the age of 16 years 1 *s.* Every other person not rated before in this present Act, not receiving Almes, and above the age of 16 years, 6 *d.*

And all the several persons of the severall degrees and qualities before set down, shall pay their several proportions in manner and forme following (*viz.*) within the City of *London*, and ten miles from the same within 6 dayes, in all places else within 12 dayes after proclamation made of this Act in the accustomed places of the several Cities and Counties. A large Clause in the Act touching the Commissioners therein named, and their respective Powers and Authorities for the managing assessing, and levying of the several moneys paiable by vertue of that Act.

5. That if any person shall disswade another from paying the Rates as aforesaid, or shall corruptly consent that any person shall be rated below the proportion appointed, and the said offences proved by the oath or two witnesses before any three of the Commissioners, who have power to administer the

the said Oath, shall by the said Commissioners, or any three or more of them be committed to the Common Goal of the same County (except they be Peers of the Realm) there to remain till delivered by the Justices of Assize, or Justices of the Peace at the general Quarter Sessions. All persons chargeable with the receipt of any the said moneys, and be negligent in the execution of their respective Duties, shall be liable to such punishment as the Parliament shall thinke fit.

6. That if any person or persons within the City of *London*, or within 15 miles distant from the same, shall before the time limited pay unto Sir *Richard Browne* Baronet, Sir *John Langham* Baronet, Sir *William Wheeler* Knight, Sir *William Vincent* Knight, *Thomas Rich* Esq; and the Chamberlain of *London* for the time being or any two of them Treasurers, and shall receive from any two of them a Certificate or Acquittance of the receipt of such summes, the said persons severally shall thereby be discharged of, for, or concerning the said sums, and do an acceptable service to his Majesty and Kingdom.

7. Any person that shall lend the sum of 100 *li.* or more, and before the first day of *August*, 1660. pay the same to such as are authorized to receive the money charged upon the respective Inhabitants of the City of *London*, shall do acceptable service, and be secured by this said Act for the repayment thereof with interest at 6 *li. per cent.* for a

year untill the same be paid; and the same money so lent shall be satisfied and paid by the *Treasurers* aforenamed out of the moneys to be received by them, and the Acquittance or Acquittances from the person before appointed for the receipt of such moneys, or of any three of them shall be a sufficient discharge to the *Treasurers* for such money and interest, *&c.*

8. That the Rates taxed upon the Lords shall be received by a Collector nominated by the Peers who shall pay over the said sums to the *Treasurers*.

9. That none shall be doubly charged, but that every person shall pay the greatest proportion he or she is charged withall in this Act.

10. That all and every the sum and sums of money to be levyed and raised by this Act shall by the *Treasurers* be imployed towards the paying of the arrears, disbanding and discharging the respective Forces of this Kingdome both by Land and Sea, who were in pay the tenth of *June*, 1660. and to no other use or purpose whatsoever.

11. That if any of the Peers be assessed higher then his or their Rank or Degree particularly expressed in this Act, they shall be assessed by *George* Duke of *Albemarle*, *John* Marquess of *Winchester*, *Henry* [Marquess] of *Dorchester*, *Algernon* Earl of *Northumberland*, *William* Lord *Pagett*, *Philip* Lord *Wharton*, *John* Lord *Hunsdon*, and *Henry* Lord *Arundel*, or any five of them.

Stat.

Mill. 11. Car. 2d. cap. 10. For the supplying and explaining the abovementioned Stat. and certain defects therein, It is Enacted, That every Householder being Mr. or Mrs. of a Family, shall within two dayes after demand made by any Assessor or other Officer thereto appointed, deliver unto such Assessor or other Officer a true List of all persons above the age of 16 years as shall inhabit or reside in their respective Families, together with their Names, Sirnames, Degrees and Qualities; and upon default of such delivery, every such Master or Mistris being convicted before any two of the Commissioners in the said Act named, shall forfeit five pounds; and for every person omitted out of the said List ten shillings, the one moiety to the Informer, and the other to the uses in the said Act mentioned with forfeitures to be levyed by distress and sale rendring the Overplus.

2. The Commissioners of the several and respective Counties, Cities, and places in the said Act mentioned shall at or before the 20 of *October* next return into the Exchequer true Duplicates of all sums of money taxed, rated, and assessed by the said Act, with the names of the Collectors of the same.

3. That the *Commissioners* named in the said Act for *London* and Liberties thereof, and the County of *Middlesex*, shall after the receipt of every summe and sums paid unto them, by the several Collectors within the said County, City and Liberties, immediately

pay over the ſame unto the *Treaſurers* in the ſaid Act appointed, whoſe Acquittances ſhall be ſufficient diſcharge.

4. Any perſon having an Eſtate in one or more Counties, and ſhall pay in one County or place what he ſhall or can be charged withall, as his greateſt proportion for his degree of whole Eſtate in the ſeveral Counties, &c. (if the ſame ſhall exceed his degree) and producing an acquittance or certificat thereof, the ſaid Commiſſioners are to diſcharge ſuch perſon in all other Counties and places, where he ſhall be taxed and aſſeſſed.

5. Any three of the Commiſſioners may iſſue out their Warrant under their hands and ſeals to the Conſtable or other Officers or perſons to diſtrain the Goods and Chattels of all and every perſon, and of every Tenant for and on the behalf of the Land-lord who ſhall refuſe or neglect to pay the reſpective ſum charged upon them. And the ſaid Conſtables, petty Conſtables, and other Officers, and perſons as aforeſaid, are required to diſtrain accordingly.

6. That nothing herein extend to any Peer of the Realm, but that the Steward of any of the Peers or ſome other ſervant ſhall deliver in the Liſts of their Family to ſuch as are appointed by this Act, and that no Peer ſhall be aſſeſſed otherwiſe then as in the ſaid recited Act.

1. Stat. 12. Car. 2. 27. Reciting ſome doubts in the two precedent Poll Acts for further explanation thereof Declareth, That

all

all persons of the several Degrees in those Acts mentioned, shall pay the several sums therein appointed (although they be the Kings servants:) And all persons Ecclesiastical and Temporal, and Bodies Politick, shall pay for their Estates, real and personal, 40 *s.* for 100 *li. per ann.* and so proportionably, and for a 100 *li.* personal Estate, after 5 *li. per ann.* but not to Estates under 5 *li. per annum*.

2. The Commissioners in the first Act named, or any three, within their respective limits are impowered to appoint two or more persons in all Parishes or places to review the Rates formerly there made. And if they finde a neglect in the former Assessours of any under Rated, or omitted: then they shall Assess them to their full value, for their Degrees, or Estates according to the former Acts, or shall at the discretion of the said Commissioners make new rates, and return the same at such places, and times as the Commissioners, or any three shall appoint.

3. Every Attorney, or Clerk sworn, in the Office of the *Pipe*: and every Attorney in the Office of the Lord Treasurers Remembrancer, shall pay 20 Nobles apiece.

4. Every Barrester, and other person that hath subscribed to any Writing, and he therein intituled Esquire, or have been so named in any Commission, or Act before the sitting of this Parliament, shall pay as reputed Esquire within the said Acts.

5. Every person who hath or shall pay fully for his Degree, the same exceeding his

the proportion of his Estate real and personal, shall by Certificate thereof, from the Commissioners or three of them be discharged from any further payment, so that the Estate, and the value and place be therein expressed, whereby the truth may appear: And where any have paid, or shall in any other County, he shall by like Certificate be discharged for so much therein mentioned.

6. The said Commissioners or three of them within their Precincts are impowered to determine all abuses of the respective Assessours and Collectors imployed by this, or the said former Acts; and to impose Fines upon them, who upon information (by the Oath of two or more witnesses) shall offend after the 20 of *Dec.* 1660. in their employments: so that such fine exceed not 5 *li.* for one offence: and in pursuance thereof, Commissioners have power by Warrant, to command the Constables, or Tythingmen, to levy the same by distresse upon the person refusing, and to return the overplus, reasonable charges for distraining being deducted; such fines to be employed to the same purposes, as the moneys raised by the said former Acts: and for want of such distress for such fine, also if no distress can be taken by the Officers therein appointed for the Taxes by vertue of the said former Act, or Acts, for such default, upon complaint to the Commissioners or any three of them, they have power to cause every such person where no distress is, to be committed to the next common Gaol, to remain untill satisfaction made

of

of the money charged upon him, by this, and the ſaid former Acts, without Bayl.

7. The Commiſſioners of every place reſpectively ſhall make accompt of the moneys only of every Hundred, *&c.* Rated by the ſaid former Acts, and of the Additional ſums rated hereby ſeverally within their limits, without naming perſons, or Eſtates, and how much paid, and to whom, and how much diſcharged by ſuch Certificates as aboveſaid, and what is unpaid, and return the ſame into the *Exchequer* before the 1st of *March* next, and in ſo doing they ſhall not be compelled to return any other Accompt, or Duplicate.

8. The full yearly value of Lands, Rents, Tythes, and other Hereditaments ſhall be rated in manner aforeſaid, in the places where ſcituate.

9. Every ſumm paid by vertue of the ſaid former Acts, ſhall be deducted out of any further charge impoſed by this Act.

10. If any be ſued for an act done in the execution of this, or the ſaid former Acts, he may plead the generall iſſue, and give the ſpecial matter in evidence, and upon Non-ſuit, or Verdict againſt the Plaintiff, the Defendant ſhall recover double coſts.

11. This Act ſhall not extend to any Peer, in point of aſſeſsment, Impriſonment, Diſtreſs, or otherwiſe.

12. The Lord Chancellor, Treaſurer, Steward, and Chamberlain of the Houſhold, the Earl of *Northampton*, Lord *Howard* of *Charlton*, Lord *Roberts*, Lord *Grey* of *Wark*, Lord

Craven, Lord *Mohun*, and the Lord *Hatton*, are added to the Peers named in the ſaid firſt Act, for Aſſeſſing of them: which Lords Commiſſioners, or any five of them, in this, and the former Act named, are impowered to Aſſeſs, and Levy all ſuch moneys as ſhall be aſſeſſed according to this, and the former Act, upon ſuch Peers who have not paid proportionably to their Eſtates.

The ſeverall perſons therein named, are added Commiſſioners for their precincts reſpectively, and to uſe the ſame power as if named in the ſaid former Acts, or either of them.

1. **Stat.** 12 *Car.* 2. *cap.* 15. That the ſum of ſeven ſcore thouſand pounds for the compleat disbanding of the whole Army and part of the Navy be raiſed as followeth, *viz.* The ſumme of threeſcore and ten thouſand pounds by the month, for two months, from the firſt of *Novemb.* 1660. ſhall be aſſeſſed, and paid in the ſeverall places within *England*, *Wales* and *Barwick*, according to ſuch Rates, and by the Commiſſioners (except ſuch as are diſabled by the *Act of Indempnity*) and with like powers, as by *an Ordinance of the Lords and Commons, for an Aſſeſſment of ſeventy thouſand pounds by the moneths upon* England *for three moneths*, and of an *Act for putting in Execution an Ordinance* therein *mentioned*, are expreſſed and appointed.

2. All the moneys to be raiſed, ſhall be paid at *Guild-hall*, *London*, unto Sir *Richard Brown*, Sir *John Longhum*, Sir *Will. Wheeler*, Sir

Sir *William Vincent*, *Thomas Rich*, and the Chamberlain of *London*, who are appointed Treasurers thereof, and their Acquittance, or any three of them shall be a sufficient discharge in that behalf. And the said Treasurers to have one peny in the pound.

3. All moneys received by the said Treasurers, shall be issued according to such directions, as they, or any three of them shall receive from the Commissioners named in an *Act for the speedy disbanding of the Armie, and Garrisons of this Kingdome*: which moneys are to be imployed for the total disbanding of the Army in the first place, and after for the paying off such part of the Navy, as return into Harbour on or before the eighth of *September*, 1660.

An Account shall be given of the moneys to this, or other succeeding Parliament, or to such persons as they shall appoint.

5. If any person shall lend to the Treasurers any moneys to the uses aforesaid; he shall be allowed six pounds *per Cent.* for the same, out of the first moneys hereby received, and the said Treasurers are to repay the said money so lent, *&c.*

6. The said whole summe of sevenscore thousand pounds shall be paid in, on or before the 25th of *December*, 1660. And the said Commissioners or any two of them in their respective places shall Signe and Seale a Duplicate of their Assessments, and before the said 25th day, certifie it into *Guild-hall* to the Treasurers, with the names of the Receivers General.

Stat. 12. Car. 2. 16. The sum of seventy thousand pounds for the present supply of his Majesty, for one moneth only from the 29th of *September*, 1660. shall be levied and paid in *England*, *Wales*, and *Barwick* in such manner and form, and by the same Commissioners (other then such as are disabled by the Act of Indempnity) as by an Ordinance of the Lords and Commons just before the Kings Restauration for seventy thousand pounds by the moneth upon *England* for three moneths, is limited and appointed: And the said moneys so to be raised shall be paid unto his Majesties Receipt of the Exchequer, on or before the first of *November*, 1660 by the several Receivers Generall: And the said Commissioners, or any two of them are required to Sign and Seal a Duplicate of their Assessments; and before the same first of *November*, to certifie the same into the *Exchequer*, together with the names of the respective Receivers generall aforesaid.

1. Stat. 12. Car. 2. 25. Whereas great sums of money remain uncollected, and also several sums in the Collectors hands, due upon the 12 moneths Assessment, commencing the 24th of *June*, 1659. and upon the six moneths assessment commencing the 25th of *December*, 1659. for disbanding the Army; It is Enacted, that the Commissioners (nominated in an Act for the provision of money for the disbanding & paying off the

the Forces by Land and Sea) do forthwith cauſe all the ſaid Arrears to be levied, in ſuch manner as formerly; and all ſuch moneys as remain in any Collectors hands to be paid in to *James Nelthorp*, and *John Lawſon* late Treaſurers at War, for the purpoſes aboveſaid.

2. Provided five hundred and twenty pounds and twelve ſhillings diſburſed by *Robert Quarum* Receiver of *Cornwall*, for the ſervice of the Kingdom; and the ſum of 70 *li.* diſburſed by *Lyme* Regis for the ſame ſervice, are hereby allowed to the ſaid Receiver and Town, as if the ſame had been actually paid in to the Treaſurers in that behalf appointed.

1. **Stat.** 12 *Car.* 2. 26. Whereas it was well hoped, That the moneys Enacted to be raiſed by ſeverall Acts of this Parliament would have ſufficed for the diſbanding of the Armies and Navy; but by the ſlow coming in of the ſaid money, it cannot be effected without further ſupply. Therefore the ſumme of four hundred and twenty thouſand pounds is therein given to the King, *viz.* 70000 *li per menſem*, for ſix moneths from the firſt of *January*, 1660. to be taxed and levied in *England*, *Wales*, and *Barwick*, according to ſuch Rules, and by the ſame Commiſſioners, as are in an Act Entituled, *An Act for raiſing ſevenſcore thouſand pounds for the compleat Diſbanding the Army, and paying part of the Navy.*

2. Two hundred and ten thouſand pounds

pounds being a moiety of the ſaid Aſſeſſment, ſhall be paid in to the Receivers generall appointed by the ſaid Commiſſioners, on or before the firſt of *February*, 1660. and the other moiety on or before the firſt of *April*, 1661. and all the ſaid moneys ſhall be paid at *Guild-hall*, *London*, unto Sir *George Cartwright*, Sir *Richard Brown* Lord Maior of *London*, Sir *James Bunce*, Sir *William Wheeler*, Sir *William Vincent*, *Thomas Rich* Eſquire, and the Chamberlain of *London*, Treaſurers in that behalf, who or any three of them are enabled to give diſcharges for ſuch moneys received by vertue of this Act.

3. If any perſon of *London*, or other place, who have advanced moneys upon the Act of ſevenſcore thouſand pounds abovementioned, and ſhall continue the loane thereof upon the credit of this Act, and ſo declare the ſame under Hand and Seal, unto the ſaid Treaſurers before the 31 of *December*, 1660. And if any other perſon ſhall advance 100 *li* or more upon the ſame Credit, and before the 10th of *January*, 1660. pay it to the Treaſurers, it ſhall be repaid by the Treaſurers out of the laſt one hundred and ten thouſand pounds raiſed by this Act with intereſt at 10 *l per Cent* from ſuch declaration & advancement reſpectively and the Treaſurers are to receive no more moneys, then what with the money ſo to be continued will amount to 80000 *l.* And the ſaid Treaſurers and their Agents ſhall have one penny in the pound.

4. All

4. All the moneys above-mentioned ſhall be iſſued according to ſuch directions as the Treaſurers, or any three of them ſhall receive from the Commiſſioners in the Act for the ſpeedy disbanding of the Army, or three of them, and to be onely implied (firſt) for the disbanding of the Army and Garriſons, according to the Rules in the laſt mentioned Act contained: and the reſt of ſuch moneys towards paying the Fleet and Navy, according to the Inſtructions in this Act expreſſed more at large.

5. An accompt of the ſaid moneys ſhall be given by the Treaſurers to this or other ſucceeding Parliament, or to ſuch perſons as they ſhall appoint.

6. No Mannors, Lands, Tenements and Hereditaments formerly taxed towards former Land-taxes, and now in poſſeſſion of the King, Queen, Eccleſiaſticall perſon, or their reſpective Tenants, ſhall be exempted from the payment of the moneys in this Act comprized: but ſhall be rated as formerly.

Nothing herein contained ſhall be drawn into example to the prejudice of the Peers, and their Rights. Divers perſons named are added Commiſſioners by this Act.

Inſtructions

Instructions for paying off the Navy, and Debts relating thereunto.

1. THE Commissioners abovenamed shall proceed therein as followeth. First, to Disband the remaining part of the Army according to the Rules made; then to discharge the 65 Ships now unimployed, and therein first such Commanders and others, as have the least due to them; and after them all aboard the 36 Ships now in service, entred on pay the 24th. of *June* last.

2. All Commanders and others who served personally upon any the said 65. Ships on the 25th. of *April*, 1660. and have taken the Oaths of Allegiance and Supremacy, or shall, and not since deserted the service, or discharged for Misdemeanor, shall have their accompts stated, and receive their Arrears from the 14th. of *March*, 1658. till their discharge: And the persons in the said 36 Ships in service on the 25th. of *April*, 1660. and have, or shall take the said Oaths and continued in service, shall have their pay from the time aforesaid untill the 24th. of *June*, 1660. but of the money of the six moneths Assessment, or any other money appointed for that purpose: And if any further Arrears appear to be due to them for Sea service after the 14th. of *March*, 1657.

1657. and so, or before the 14th of *March*, 1658. the Auditors shall examine such arrears, and state the same to the next Parliament for their satisfaction.

3. No money shall be paid to any the said persons for any short allowance of Victuals, either at Sea, or in Harbour: And if it appear that any money, cloaths or goods have been paid, or sold by any Officer, or other, to any person of the said Ships upon accompt of their pay since the 14th of *March*, 1658. all such moneys, and value of the goods delivered during their service, shall be defalked out of their pay, and such money shall be paid by the Commissioners Warrants by the Treasurers to whom it belongeth, out of the six months Assessment, or other money appointed for that purpose, next after the Commanders, Officers, and Seamen are paid.

4. After the accompts of the Commanders, Officers and Seamen are stated, the accompts of the Ship-keepers shall be, and of all Officers on shore at *Deptford*, *Woolwich*, *Chatham*, *Portsmouth*, *Harwich*, and other places, to be stated from the 14th of *March*, 1658. to the 24th of *June* last, after the Kings Rates, and the Commissioners are to charge Warrants upon the Treasurers for their satisfaction out of the said moneys next after the Seamen, Commanders, Officers, and their servants are paid, and the said defalked money satisfied.

5. The Auditors shall state the Victuallers

sers accompts from the said 14th of *March*, to the day of the several Ships discharge for all out of imployment; and to the 24th of *June* for the remaining part of the Navy now in service in the Winter guard, and assigne them payment in Course as aforesaid, out of the moneys remaining in their hands raised as abovesaid.

6. The Auditors shall from the said 14th of *March*, 1658. state the accompts of men claiming money for Quarters, and cures of the sick and wounded set on shore in any places in *England*: and for the Quarters and such cures of Souldiers sent from *Flanders*: and after stating, the Commissioners shall assign them pay as before, next after the Commanders, Officers, and Mariners, and the said Ship-keepers are paid.

7. If any Officers, &c. have died, or been discharged by Ticker, their arrears not paid, the Auditors shall state their Accompts from the said 14th of *March*, to their death, or discharge according to their Capacities, and they or their assigns shall be paid as aforesaid, when the Commanders and Officers of the Ships to which they belonged, and the debts for the sick and wounded are satisfied.

8. The Auditors shall state the accompts of all others who can claim any debt for any provision, maintenance of Prisoners, goods, ammunition, or necessaries sold, and delivered to any publique Minister for the use of the Navy, from the said 14th of *March*, 165?.

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to the 24th of *June*, 1660. and order them payment in course after the aforementioned sums are paid as aforesaid.

9. For the better stating of the said accompts, and other after mentioned, *Arthur Sprey*, *William Jessop*, *Ralph Darnal*, *Samuel Atkins*, *Richard Kingdon*, and *Bartholomew Fillingham*, Esquire; and *John Walker* Gent. are appointed Auditors, who shall take an oath for the true stateing of he said accompts.

Which Oath any three of the Commissioners may administer: Which accompts so certified by the Auditors or two of them, then the Commissioners or three of them are authorized to issue Warrants to the Treasurers for paying such moneys audited, and such Warrants and Acquittances shall be a good discharge for them in that behalf.

10. The chief Officers of the Navy shall deliver to the said *Commissioners* a List of the names of the said Ships, and the places, and the names of the Commanders, Officers, and Seamen in each Ship, and the time they have served, and what money, or goods any of them have received.

11. The Pursers and Checks of the Ships when required, shall attend the Auditors, and deliver them an accompt of all the men in the Ships; and to that purpose shall produce the Muster-Book and Pay Books, and what money is due unto them, and how due, which Books and accompts shall be delivered upon oath, which the Commissioners or any three of them shall administer.

12. That

12. That if any Purser shall make any false muster in number, or name, or any false Ticket, he shall forfeit his wages, and be imprisoned six moneths by the Commissioners, or any two of them.

13. Upon discharge of such Commanders, &c. they shall deliver up their respective Ships with the appurtenances unto such person, as the King, or Lord Admirall shall appoint: and if any refuse so to do, or be found to have imbezell'd any part thereof, or disswade others so to do, he shall lose his arrears, and be further proceeded against.

14. The *Commissioners* or any three of them are impowred to imploy Clerks, and other Agents necessary for that work, and give them such sallaries as they shall think fit, and to defray all other charges touching the same.

15. The *Commissioners* shall have one peny in the pound and no more, of all moneys hereby issued; and each Auditor shall have 20 *s. per diem*, during this service, which the *Treasurers* are hereby enabled to pay accordingly.

16. The Commissioners shall direct the *Treasurers* to grant Assignations of moneys upon Receivers, or *Treasurers* for raising money by the Act aforesaid in such places where they understand any such moneys lyes, as the Commissioners for disbanding, or any three shall direct to such persons, as the said Commissioners, or three of them shall appoint.

17. The

17. The Commissioners herein, or any three of them are authorized to call to accompt the *Treasurers* in this Act named, and *James Nicholetts*, and *John Lawson*, late *Treasurers* at Warr, or any other former *Treasurers*, or *Commissioners* of the Army, or Navy for all such moneys as they stand accomptable for, and to certifie the accompts into the Exchequer.

Taxes.

Stat. 12. *Car.* 2. 28. That the summe of 70000*li.* for further supply of his Majesty, for one moneth only from the first of *July*, 1661. shall be assessed and levyed within *England*, *Wales*, and *Berwick*, in such manner and by the same Commissioners as by an Act entitled, *An Act for raising of* 70000 *li* for his Majesties supply are mentioned.

2. All the said moneys to be levyed as aforesaid, shall be paid into the Exchequer, on or before the first of *August*, 1661. by the respective Receivers General, who shall be appointed by the said Commissioners.

3. The residue of this Act agreeth with the sixth Section of the 26 Chap. of the Act precedent: Divers persons are added *Commissioners*, and have as full power as the others intended thereby.

Tobacco

Tobacco.

1. Stat. 12 *Car.* 2. 33. No person whatsoever shall from the first of *January*, 1660. plant, improve to grow, make, or cure any Tobacco in Seed, Plant, or otherwise, upon any ground within *England*, *Wales*, *Guernsey*, *Jersey*, *Barwick*, or in *Ireland*, upon pain to forfeit all such Tobacco, or the value thereof, or of 40 *s.* for every Pole of ground so planted, or sowen as aforesaid, and so proportionably for a greater or lesser quantity of ground: one moiety to the King his Heirs and Successors, and the other moiety to the Informer, to be recovered as in such cases is accustomed.

2. All Sheriffs, Justices, Mayors, Bailiffs, and Constables, upon information made unto them respectively by any Officers of the Customes, or any other person or persons whatsoever, that any Tobacco is set, sowen, planted, or growing within their jurisdictions, shall within ten days after such information, cause the same to be burnt, or utterly destroyed: And if any person shall resist any other in the execution of this Act, he shall for such offence forfeit 5 *li.* to be divided, and recovered in manner aforesaid: And if such offender shall not pay the said penalties, distress shall be made, and sale thereof, returning the overplus to the Owners; and for want of Distress, the party to be committed to the Common Gaol for two moneths without Bail, or Main-prize.

3. Pro-

3. Provided, this Act shall not extend to hinder the planting of Tobacco in any Physick Garden of either University, or in any private Garden for Physick or Chyrurgery, so as the quantity so planted exceed not one half of one Pole in any one place of Garden.

Usury.

1. Stat. 12. *Car.* 2. 11. No person after the 29th of *September*, 1660. upon any Contract shall take directly, or indirectly, for loan of any Moneys, wares, Merchandizes or other Commodities whatsoever, above the value of 6 *li.* for the forbearance of 100 *li.* by the year, and so after that rate for a greater or lesser sum, or a longer or shorter time: and all Bonds, Contracts, and Assurances hereafter to the contrary shall be void: and all and every person, *&c.* who shall take, accept, and receive by way or means of any corrupt Bargain, Loan, Exchange, Cheivesaunce, Shift, or Interest of any Wares or other things whatsoever, or by any deceitful way or means, or by Covin, engine or deceitfull conveyance above the rate as aforesaid, shall for every such offence forfeit the treble value of the Moneys, Wares, Merchandize and other things so lent, bargained, sold, exchanged or shifted.

2 No *Scrivener*, *Broker*, *Sollicitor*, or Driver of Bargains, shall take directly or indirectly, any moneys, or other reward for Brokage, Solicit-

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ing, Driving or procuring the loan, or forbearing of any money, above 5 l. for two li. for a year, and so ratably, or above 12 d. for making, or renewing the Bond, or any Counter-bond touching the same upon pain to forfeit for every such offence 20 li. and imprisonment for half a year, the one moiety to the King, the other to the *Informer* in the County where the offence is done, and not elsewhere, to be recovered by action of Debt, &c. wherein no Essoign, &c.

Wines.

By 12 Car. 2. c. 24. No person whatsoever after the 25th of *March*, 1661. (unless he be authorized as in this Act is prescribed) shall sell or utter by Retail, viz. by Pint, Quart, Pottle or Gallon, &c. any kind of Wine to be drunk in his Mansion house, or other place in his tenure or occupation, or without such house, or place in his occupation by any means whatsoever, upon pain to forfeit for every such offence 5 li. the one moiety to the King, the other to the *Informer*, &c. It shall be lawful for the King, his Heirs, &c. from time to time to issue under the great Seal Commissions to two or more persons, authorizing them to license such persons as they think fit to sell by Retail any kind of Wines to be spent as well within the house or other place in the tenure or occupation of the party so licensed as without in any Close, Yard, or other place within *England*, *Wales*, or *Berwick*. And such persons as shall be by such Commissions

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appointed, ſhall have power to contract for licence to be given for the uttering of Wines by retail in any the ſaid places according to the directions of this Act, and not otherwiſe.

3. Such perſons as ſhall be commiſſioned by the King as aforeſaid, ſhall be called his Majeſties Agents for granting Licenſes, *&c.* which Agents are enabled under their Seal of office to be appointed by his Majeſty, *&c.* to grant Licenſes for ſelling Wines by Retail to any perſon, and for any time not exceeding 21. years if the party ſo long live, and for ſuch rent as they can agree, ſo as no Fine be taken therefore: but that the rent reſerved be paid halfe yearly by equal portions during ſuch Terme.

4. Such Licenſes ſhall not be given but to thoſe who perſonally uſe that trade of retailing, or to the Landlord and owner of the houſe where ſuch perſon ſhall utter Wine by relail: Nor ſhall it be aſſignable, or any wayes beneficial to indempnifie any againſt the penalties of this Act, except the firſt taker.

5. The King his Heirs, *&c.* are impowred to conſtitute Officers, as *Receiver, Regiſter, Clerke, Comptroller, Meſſenger*, or the like, for the managing this ſervice, ſo as the ſalaries and wages of all ſuch Officers, and of the ſaid Agents exceed not *6 d.* in the pound of the Revenue hereby raiſed; and the moneys hence ariſing (except the Sallaries aforeſaid) ſhall be paid into the Exchequer, and ſhall not be charged with any Gift or Penſion, and the ſaid Agents are to return into the Exchequer every *Michaelmas* and *Eaſter* Terme upon their oaths be-

before one or more Barons of that Court, a Book containing what Licences have been granted the preceeding half year, and what rents are thereupon reserved, and if paid, or in arrear, and the securities of persons in arrear, that processe may thence issue for the recovery thereof.

6. This Act shall not be prejudiciall to the priviledges of the two Universities, nor to the Chancellors or Scholars of the same, or their successors, but that they may use and enjoy such priviledges as heretofore they have lawfully used and enjoyed; nor shall extend to the mystery of *Vintners* of *London*, or other City, or Town Corporate, but that they enjoy their former and accustomed Liberties: Neither shall it extend to hinder the Mayor & Burgesses of S. *Albans*, or their Successors, for the licensing of three Taverns there, towards the maintenance of their Free-School: but that such powers and liberties are confirmed unto them for ever for such charitable uses.

7. None of the said Officers respectively, shall demand, or receive any fees, or moneys in respect of his service, other than 5 *s.* for a License, 4 *d.* for an Acquittance, and 6 *d.* for a Bond, under the penalty of 10 *l.* one moiety thereof to the King, the other to the *Informer*.

8. No Merchant, Vintner, Wine-cooper, or other person, selling, or retailing Wine, shall mingle or utter any Spanish Wine mingled with French, or Rhenish Wine, Sider, Perry, Honey, Sugar, syrrops of Sugar, Molasses, or any Syrrops, nor put in any Isinglass, Brimstone, Lime, Raisins, juyce of Raisins,

Raiſins, Water, not other liquor, nor Ingredients, Clary, or other herb, nor Fleſh whatſoever. Neither ſhall ſuch perſons mingle or utter any *French* Wine mingled with *Rheniſh*, or *Spaniſh* Wines, Sider, Perry, Stummed wine, Vitriol, *&c.* as aforeſaid, nor any Rheniſh-wine, mingled with French or Spaniſh Wines, Sider, *&c.* as aforeſaid: And all perſons offending herein ſhall incur the paines enſuing (*viz.*) Every Merchant, Wine-Cooper, or others, ſelling Wines in groſſe, abuſed as aforeſaid, ſhall forfeit for every ſuch offence 100 *l.* and every Vintner, or others ſelling Wines by Retail, mingled as aforeſaid, ſhall forfeit for every ſuch offence 40. *l.* one moiety of which forfeitures to the King his Heirs, *&c.* and the other to the *Informer*.

9. From the firſt of *September*, 1661. No Canary Wines, Muskies or Alegant, or other *Spaniſh*, or ſweet Wines, ſhall be ſold by any perſon within *England*, *Wales*, or *Berwick* by Retail for above 12 *d.* the quart, and no *French* Wines above 8. *d.* the quart, nor *Rheniſh* Wines above 12. *d.* the quart; and according to theſe Rates, for a greater or leſſer quantity, upon pain to forfeit for every pint, quart, pottle, gallon, or other greater, or leſſer quantity ſo ſold 5. *l.* the one moiety to the King his Heirs, *&c.* and the other to the *Informer*.

10. Provided, That the Lord *Chancellor*, Lord *Treaſurer*, Lord *Preſident* of the Council, Lord *Priy Seal*, and the two Chief Juſtices, or

five, four, or three of them, who are hereby authorized yearly between the 20 of *Novem.* and the last of *Decemb.* and no other times, to set the prizes of the said Wines to be sold by retail as aforesaid, at higher or lower rates, so that they caused the prises so set, to be written, and proclaimed in Chancery yearly in Terme time or else in the respective places where any such Wines shall be sold: And all such Wines may be so sold for one whole year commencing from the first of *February* next after the setting thereof, and no longer; and no greater prises, under the pains aforesaid to be recovered as aforesaid: And in default of such setting of prises by the persons abovenamed, at the respective Rates and prises set by this Act, and under the penalties as aforesaid to be recovered as aforesaid.

Wool, and Fullers Earth.

1. Stat. 12. *Car.* 2. 31. No person after the 14th. of *Jan.* 1660. shall Export, or cause to be Exported out of *England*, *Wales*, *Berwicke*, *Jersey*, *Guernsey*, *Sarke*, and *Alderney*, or *Ireland*, into any forreign parts out of the places aforesaid, any Sheep or Wooll of the breed, or growth of the Dominions aforesaid, or any Wooll, Fells, Mortlings, Shorlings, or Yarne made of Wooll, Wooll-flocks, or any Fullers Earth, or any fulling clay: Nor shall load, or cause to be loaded upon horse, Cart, or otherwise, or lay on board; or so cause in any Vessel in any place within *England*, *Ireland*, *Berwicke*, or Dominions aforesaid, any sheep, or other

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the goods above named, to the intend to export, or cauſe to be exported the ſame out of the Kingdoms and places above mentioned, or with intent that any other perſons ſhould ſo export the ſame out of the reſpective Dominions aforeſaid, either into *Scotland*, or any forreign parts.

2. No wooll, or other particulars abovementioned (except ſheep) ſhall after the ſaid 14. of *Jan.* 1660. be exported out of the Kingdoms, or Dominions aforeſaid, unto the Iſles of *Jerſey*, *Guernſey*, *Sarke*, or *Alderney*, except as hereafter is limited upon the pains following, *viz.* the ſaid Sheep, Wooll, and other recited particulars ſo exported, packed, or loaden contrary to this Act, ſhall be forfeited, and every offender therein ſhall forfeit 20 *s.* for every ſuch ſheep, and 3 *s.* for every pound weight of the other reſpective particulars: And the owners of ſuch Veſſels knowing ſuch offence, ſhall forfeit all their intereſt in the ſaid Veſſels, and all the furniture. And the Maſter and Mariners knowing thereof, and ayding thereunto, ſhall forfeit all their Goods and Chattels, and be impriſoned 3 moneths without Bail; the one moiety to the King, the other to the *Informer*, to be recovered in any Court of Record, or before the Juſtices of Aſſize, or at the Quarter Seſſ. of the Peace, in which ſuit no Eſſoin, *&c.*

3. If any Merchant or other after the ſaid 14 of *Jan.* Tranſport, or ſo cauſe any Sheep, or any other the above named particular, & be thereof convicted, he ſhall be diſabled to require any debt or accompt of any Factor, or others for any debt or eſtate belonging to him.

Provi-

Provided this Act shall not take away any greater pains inflicted for any the said offences by vertue of any former Act now in force.

4. All offences hereby committed may be heard, and determined in the County where such sheep, or any the said particulars respectively shall be so packed, loaden, or laid aboard contrary to this Act, or in the County where such offenders shall be apprehended; No person shal be impeached for such offence, unless he be prosecuted within one year next ensuing such offence committed.

5. It shall be lawful for any person to seize and take to his own use, and to the use of the King his Heirs, *&c.* all such sheep, or other the said particulars as he shall discover to be laid aboard in any Vessel or on Shore neer the Sea, or any navigable River to be exported out of *England*, *Ireland*, *Barwick*, or dominions aforesaid, or to be packed or loaden upon any horse, or otherwise, to the intent to be conveyed into *Scotland*; And such Seizor shall have the full moiety thereof: but shal not be allowed to give in evidence upon his Oath against the offender who shall be hereby accused.

6. Provided, That every Ship or other Vessel, whereof any Alien, or natural Subj & not dwelling in *England*, shall be owner, or part-owner wherein any sheep or other the particulars as aforesaid shall be shipped, or laid aboard contrary to this Act, shall be forfeit to the King, his Heirs, *&c.* But this Act shall not extend to any Lamb-skin ready dresst, and fit for Furr, or Lynings.

7. This

7. This Act shall not extend to the transporting of any such Woollfells, or Pelts with such Wooll upon them, or to any Beds stuffed with Flocks, which shall be carryed or imployed in any Vessel for neceſſary use onely, of and about any thing in or concerning such Vessel, or the persons therein being, and not sold in any Forain Parts, out of the Kingdoms and Dominions aforesaid; nor to the exporting of any Weather-sheep, or Wooll growing upon any such Weather-sheep, to be carried alive in any Vessel, for the only neceſſary food of the company of passengers, and for none other purpose.

8. This Act shall not extend to any Wooll to be exported shipped or loaden aboard any Vessel, from *Southampton*, only unto the aforesaid Isles of *Jersey*, and *Guernsey*, by, or for the only use of the Inhabitants of the said Isles, or either of them, so as such person who shall so ship or lay aboard the same do before the shipping, *&c.* deliver unto the Customer, Comptroller, Surveyor, or Searcher of the Port of *Southampton* aforesaid, (out of which the same is to be exported) a writing under the seals of the respective Governours of the same Isles unto which the same is to be transported, or of his or their Deputy; which writing must expresse that the party therein named is authorized to export the same, mentioning the quantity, to be there manufactured, or in some members or parts thereof, and that such party so authorized hath before the making of such writing, given good Bond to the Kings use, to land it in that Isle.

9. The Governour of *Jersey*, or his Deputy for whom he will answer, shall not make to any person any such writing as aforesaid, to authorize such person to transport, *&c.* from *Southampton* unto *Jersey* in any one year, accompting the year from the first of *Jan.* 1660. any greater quantity of Wool then 2000. Tods, and no more, 1000 Tods for *Guernzey*, 200 Tods for *Alderney*, and 100 Tods for *Sarke* of unkeamed Wooll and no more in any one year, every Tod not exceeding thirty two pounds: and the Customer of *Southampton*, shall keep an accompt of all such Wool by him permitted to be so loaden; and shall permit no greater quantities to be loaden then as aforesaid, yearly to either of the said Isles, upon pain of loosing his place, and 100 *l.* in money, the one Moiety to the King, the other to the Informer: And if any of the said Governours, or their Deputies of the said Isles, shall make any Licence for exporting from *Southampton* into those Isles, any greater quantities of Wooll then as above limited: Every such Governour offending herein, shall forfeit to the King, his Heirs, *&c.* 20 *l.* for every Tod of Wooll so licensed, above the proportion herein before appointed.

10. The respective Governours, or their Deputies, Clerks, Officers, or servants for the making such License as aforesaid, and for entring a Remembrance of the same into some book for that purpose, may take 12 *d.* and no more, upon pain to forfeit to the party grieved

grieved 5 *s.* for every peny which ſhall be taken over and above the ſaid ſum of 12 *d.* and ſo after that proportion, the ſaid penalty to be recovered by Bill, Plaint, or Information in any Court of Record at *Weſtminſter*, or elſewhere, wherein no Injunction, Eſſoine, Protection, *&c.* ſhall be allowed.

Wards and Liveries.

1. **Stat.** 12. *Car.* 2. *cap.* 3. That the Courts of Wards and Liveries, and all Wardſhips, Liveries, Primer-Seiſins, and Ouſter-le-mains, Values and forfeitures of Mariages, by reaſon of any tenure of the King, or any other by Chivalry, and all mean Rates, and all other Gifts, Grants, Charges incidens or ariſing by reaſon thereof, be taken away and diſcharged from the 24. of *February* 1645. and all Fines for Alienation, Seizures, and pardons for Alienations, Tenure by Homage, Wardſhip Livery, Primer-Seizin, or Ouſter-le-main, or Tenure by Knights Service, Eſcuage, Aide *pur file marier, & pur faier fitz Chivalier*, and all other charges incident thereunto, be alſo diſcharged from the ſaid 24 of *February* 1645.

2. All Tenures by Knights Service of the King, or of any other, and by Knights Service in Capite, and Socage in Capite, of the King, and the fruits and conſequents thereof happened, are taken away and diſcharged, and

and all Tenures of any Honours, Mannors, &c. or any Inheritance at Law, held either of the King, or other person, or bodies Politick or Corporate, are hereby turned into free and common Soccage to all intents whatsoever from the said 24. of *February*, and for ever thereafter: and the same shall for ever hereafter, stand and be discharged of all Tenure by Homage, Escuage, Voyages Royal, and charges therefore, Wardships, incident to Tenure by Knights service, Values, and Forfeitures of Marriage, and all other charges incident to Tenure by Knights service, and of and from *Aide pur file marier, & pur faier fitz Chivalier.* And all Conveyances and Devises of any Mannors, Lands, Tenements, and Hereditaments, made since the said 24. of *Feb.* shall be of such effect, as if the same had been then held and continued to be holden in free and common Soccage only.

3. One Act made in the Reign of *Henry* the Eighth, for the Establishment of the Court of the Kings Wards; and one Act made in the 33. year of the said King, concerning the Officers of that Court, and every clause in those Acts contained, shall be henceforth utterly repealed.

All Tenures hereafter created by the King, his Heirs or Successors, upon any Gifts or Grants of any Mannors, Lands, Tenements, or Hereditaments, of any Estate of Inheritance at the common Law, shall be in free and common Soccage only, and not by Knights service or in Capite, and shall be discharged of all Wardships, &c.

5. Provided

5. Provided this Act shall not take away any Rents certain, Herriots, or Suits of Court, belonging to any former Tenure now taken away, or hereby altered, or other services incident to common Socage, due or to grow due to the King, or other private person, or the fealty and distresses incident thereunto; and such Relief shall be paid in respect of such Rents, as is paid in case of a death of a Tenant in common Soccage.

6. This Act shall not take away any Fines for Alienation due by customs of particular Mannors and Places, other then such Fines of Lands or Tenements holden immediately of the King in Capite.

7. Neither shall it take away Tenures in *franke Almaigne*, or to subject them to other services then they now are; nor alter any Tenure of copyhold, or services incident thereunto, nor take away the Honorary services of Grand Serjeanty, other then of Wardship, Mariage, and value of forfeiture of Mariage, Escuage, Voyages Royal, and other charges incident to Knights service; And other then *Aide pur faier fitz Chivalier*, & *Aide pur file marier*.

8. Where any person hath, or shall have a child or children under 21. years, and not maried at his death, the Father of such a child, whether born at his death, or in *ventre sa mere*, or the Father of 21. years, or under, may by his Deed, or Will in writing in the presence of two Witnesses (as he shall think fit) dispose of the custody and tuition of such child, during his Nonage, to any person other then

then Popiſh Recuſants, and ſuch diſpoſition made ſince the 24 of *Feb.* 1645. or to be made, ſhall be good againſt any claiming the cuſtody as Guardian in Soccage or otherwiſe: And ſuch perſon, to whom the Cuſtody of ſuch child or children hath been or ſhall be ſo diſpoſed or deviſed as aforeſaid, may maintain an Action of raviſhment of Ward or Treſpaſs, againſt any who ſhall wrongfully take away or detain ſuch child, and ſhall recover damages for the uſe of the child, for the recovery of ſuch child, and may take the profits of all his Lands, and management of his perſonal eſtate, till 21. years of age, or according to ſuch diſpoſition, and may bring ſuch Actions in relation thereunto, as by Law a Guardian in common Soccage might do.

9. This Act ſhall not alter or prejudice the Cuſtoms of *London*, or of any other City or Town corporate, or of *Berwick* or *Twede* concerning Orphans: nor diſcharge any Apprentice from his Apprentiſhip.

10. Neither ſhall this Act infringe any Title of Honour, Feodal, or other, whereby any perſon hath, or may have right to ſit in the Lords Houſe of Parliament, as to his or their Title of Honour or Sitting in Parliament, and the Priviledge belonging to them as Peers.

11. That there ſhall be paid unto the K. his Heirs and Succeſſors for ever hereafter in recompence of his ſaid Revenue of Tenures and Purveyances, the ſeveral impoſitions & duties of Exciſe, particularly mentioned under Title Exciſe.

For Purveyance ſee Title Purveyance.

FINIS.

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